United Nations S/PV.7185

Security Council

Sixty-ninth year

Provisional

7185th meeting
Wednesday, 28 May 2014, 3 p.m.
New York

President:	Mr. Oh Joon	(Republic of Korea)
Members:	Argentina	Mrs. Perceval
	Australia	Ms. King
	Chad	Mr. Cherif
	Chile	Mr. Barros Melet
	China	Mr. Wang Min
	France	Mr. Lamek
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Ms. Murmokaitė
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Russian Federation	Mr. Churkin
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

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14-41159 (E)

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 28 February 2014 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council (S/2014/136)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Ukraine to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Feltman.

Mr. Feltman: On 25 May, according to reports, slightly more than 60 per cent of Ukraine's eligible voters cast a ballot in the country's early presidential elections. An unprecedented number of national and international monitors observed the polls and concluded in statements that the election, to quote one statement,

> "was characterized by high voter turnout and the clear resolve of the authorities to hold what was a genuine election largely in line with international commitments and with a respect for fundamental freedoms in the vast majority of the country. This was despite the hostile security environment in two eastern regions".

At the same time, the numbers across Ukraine varied considerably, even in areas under full Government control, with lower participation in Odessa and elsewhere in southern Ukraine. In parts of eastern Ukraine, eligible voters were denied their right to vote due to the seizure or blocking of polling stations, the destruction of electoral equipment, intimidation and violence. The United Nations is deeply concerned by the actions of those who have attempted to derail the elections and prevent citizens from having a say in their country's leadership.

According to preliminary results, Mr. Petro Poroshenko won in the first round, obtaining 55 per cent of the vote. This morning, the Secretary-General spoke over the phone to congratulate the President-elect on having received a strong mandate from the people, who expect him to move quickly to steer the country away from political, economic and social instability and towards security, greater prosperity and genuine democratic governance. The Secretary-General welcomed President-elect Poroshenko's stated intention to engage immediately in dialogue and de-escalation. He affirmed that exercising restraint and reaching out to eastern Ukraine was critical.

Despite what we at the United Nations hope will be the beginning of a new chapter for Ukraine, violence rages on in parts of the east, causing loss of life and injuries. Since the last Security Council consultations on the issue, held on 21 May, both Luhansk and Donetsk oblasts experienced a dramatic increase in deadly fighting. As a result, the numbers of casualties and wounded continue to increase on both sides, with civilian causalities reported as well. While we are unable to confirm the details, the Secretary-General is concerned by reports of scores of casualties; by suggestions regarding the circulation and use of heavier weaponry in the east; and by allegations of arms, fighters and trucks entering Ukraine.

On 22 May, dozens of Ukrainian servicemen were killed and many others wounded in an ambush by unknown armed persons at a military checkpoint in the city of Volnovakha.

On 26 May, fierce fighting ensued between Government forces and armed groups when armed militia stormed and attempted to seize control of the Donetsk international airport. Ukrainian forces, after conducting an air and land operation, are now reportedly back in control of the airport, but sporadic fighting continues close to the airport.

We are aware of video footage purporting to show a United Nations-marked helicopter allegedly being used inside Ukraine. The United Nations is unable to determine the veracity of the images. I would note that the Ukrainian authorities have affirmed to the United Nations that no helicopters with United Nations markings are being used in operations being conducted inside Ukraine. We recall that it is the responsibility of all troop-contributing countries that provide contingent-owned equipment to peacekeeping missions to remove all logos and signage bearing the United Nations name once such equipment has been repatriated to the home

country or is no longer used for official United Nations purposes.

In a deeply disturbing and alarming development, following the capture of four Organization for Security and Cooperation in Europe (OSCE) monitors on 26 May, today the OSCE headquarters in Kyiv lost contact over several hours with an additional 11 OSCE monitors, who were assumed to have been captured or held by an armed group in Donetsk oblast. Following my phone conversation earlier today with him, the head of the OSCE monitoring mission, Ambassador Apakan, just informed me that the 11 monitors have been released in Donetsk. There is still no news of the four monitors who have been held for the past two days. The Secretary-General is appalled that international staff have again been put in such grave danger. He calls for their immediate release and appeals to all with influence to assist.

The Secretary-General remains committed to helping find a peaceful resolution to the crisis in Ukraine and to assisting the country in prevailing over the many difficult challenges that lie ahead. In that vein, he appeals to the international community to use the outcome of the elections as an opportunity to unite in support of a peaceful, stable, prosperous and united Ukraine.

The President: I thank Mr. Feltman for his briefing.

I now give the floor to the members of the Security Council.

Sir Mark Lyall Grant (United Kingdom): I thank Mr. Feltman for his briefing this afternoon.

We congratulate the Ukrainian people on the success of their historic presidential elections on Sunday, 25 May. The elections have been endorsed by the Organization for Security and Cooperation in Europe (OSCE) as having been held largely in line with Ukraine's international commitments and with respect for fundamental freedoms. After the turmoil of recent months, that is an outstanding achievement, which demonstrates the determination of the Ukrainian people to exercise their democratic rights and to set Ukraine on a new path towards stability. They have produced a Government whose legitimacy cannot be questioned and that deserves the full support of the international community. The decisive victory of Mr. Poroshenko sends a clear signal that the Ukrainian people are united in their demand for reform.

We congratulate Mr. Poroshenko on his election. We welcome his commitment to reaching out to all regions, to normalizing relations with Russia and to working to restore stability and calm. The United Kingdom remains firmly committed to the sovereignty, independence and territorial integrity of the whole of Ukraine. We look forward to working with Mr. Poroshenko and the Ukrainian Government in their efforts to build a safe, independent and prosperous country. We also pay tribute to the staff of the Ukrainian Election Commission and to the OSCE for their tireless commitment to ensuring that the elections were a success, and particularly to those who face threats of violence and intimidation in the east of the country.

The high turnout on Sunday offers a powerful rebuke to those illegal armed groups that sought to deny the citizens of Donetsk and Luhansk their democratic rights and that continue to pursue an armed campaign to destabilize eastern Ukraine. Opinion polling in March showed that 79 per cent in the east of Ukraine wanted to vote in the elections. In May, despite the rising levels of intimidation against election officials, activists and ordinary citizens, 62 per cent still wanted to vote. It is deeply regrettable that many in Donetsk and Luhansk were prevented from doing so. The elections gave Ukrainians the opportunity to express their views in a peaceful and democratic manner.

It is telling that the response of illegal armed groups to that display of national unity was an attempt to seize control of Donetsk international airport. While Ukraine sought a national consensus through the ballot box, those groups immediately resorted to violence. We respect the Ukrainian Government's right to respond to such armed attacks, to protect its citizens and to reassert control over its sovereign territory. No country could possibly accept illegal armed insurgents taking control by force of public buildings and a key national infrastructure, such as an international airport. The Ukrainian authorities have acted with admirable restraint in the fact of repeated provocation. We continue to urge them to ensure that their security response remains measured, proportionate and respects the safety and security of non-combatants.

Since 21 February, the Ukrainian authorities have repeatedly demonstrated that they are committed to deep-rooted reform of Ukraine's political system and to making a decisive break with past corruption and injustices. The issue of granting greater autonomy to Ukraine's regions has been on the agenda from the

start. In line with its commitment and those undertaken in Geneva, on 17 April they embarked on an intensive effort to initiate an inclusive national dialogue. That process represents a genuine opportunity for all Ukrainians to address their grievances peacefully. There can therefore be no justification for armed groups to continue to press their cause through violence. We therefore call on the insurgents to lay down their arms, renounce violence and join in this debate. We also call on the Russian Federation to take immediate action to prevent illegal crossings of insurgents and weapons across its border into Ukraine.

We are deeply concerned by two separate incidents of abduction involving monitors from the OSCE special monitoring mission in eastern Ukraine. We welcome the release of 11 monitors after their detention earlier today in Donetsk, but four others who went missing on Monday are still unaccounted for. The detention of OSCE personnel is completely unacceptable, and we call for their immediate and unconditional release. The special monitoring mission has a vital role to play, often under difficult circumstances. We pay tribute to their continuing work.

Sunday's elections provide us all with an opportunity to look past the turmoil of recent months and to focus on the future. We welcome the recent statements by the Russian Federation of its intention to respect the right of the Ukrainian people to choose their new President and its commitment to reduing the threat of further external intervention in Ukraine's internal affairs by withdrawing its forces from the Ukrainian border. Those are positive steps towards de-escalation, but more action is needed. Continued instability is not in the interests of the people of Ukraine or in the interests of its neighbours and those countries that value their relations with Ukraine. The actions of illegal armed groups have resulted in scores of tragic and unnecessary deaths and the disruption of the Ukrainian economy and public services in the east. That is hurting the very people that those groups claim to represent and is denying them a voice in determining Ukraine's future.

Following the Geneva agreement of 17 April and the OSCE road map of 7 May, we have a viable political framework in place. Ukraine has already made much progress towards implementing these agreements, including notably the adoption on 20 May of the memorandum of peace and concord. Our focus must now be on promoting an inclusive, transparent and accountable national dialogue as an alternative to violent insurgency. We welcome the three rounds of dialogue that have already taken place with OSCE facilitation. That national dialogue should allow all parties to contribute their views on issues such as decentralization, local self-governance, language and national minorities, balance of powers, State society relations and Ukraine's role in Euro-Atlantic and Eur-Asian security.

The past few months have seen deep divisions in the Security Council over Ukraine. Some of those divisions will undoubtedly persist; in particular, along with the overwhelming majority of the international community, the United Kingdom will not recognize or accept Russia's illegal annexation of Crimea. However, Sunday's elections provide the Council with a basis for coming together behind some key principles: respect for the will of the people of Ukraine, recognition of the legitimacy of the new authorities in Ukraine, rejection of armed insurgency and attempts to destabilize Ukraine and undermine the rule of law, and strong support for the efforts of the authorities in Ukraine to tackle the many formidable challenges that confront them in an inclusive and democratic manner.

The frameworks are in place to take those principles forward. The United Kingdom urges all Council members and the international community as a whole to join wholeheartedly in a concerted, constructive and united international approach.

Mr. Laro (Nigeria): I thank Under-Secretary-General Feltman for his update on the situation in Ukraine, which by all accounts remains tense. The armed attacks of last week that led to the deaths of 16 Ukrainian soldiers near Donetsk represent a very serious escalation of the crisis. We condemn attacks against security forces carrying out legitimate orders. We note the conduct of presidential elections on 25 May and the outcome. We see the election of a new President as a significant first step towards the normalization of the situation in Ukraine. Issues of human rights still need to be addressed, as do improving the economy, fostering inclusiveness and strengthening national cohesion and reconciliation.

An improvement in bilateral relations between Russia and Ukraine remains central to resolving the crisis in Ukraine. That is why we welcome the decision of Russian President Vladimir Putin to respect the outcome of the elections in Ukraine. We also welcome the offer of Russian Foreign Minister Sergey Lavrov

to start a dialogue with the incoming leadership of Ukraine. President-elect Poroshenko has also indicated that he will reach out to Russia. Those are encouraging signs that convince us that the doors to a diplomatic solution remain open.

We reiterate our position that dialogue among all concerned parties and stakeholders is the path to sustainable peace, security and stability in Ukraine. We urge all armed groups in eastern Ukraine to lay down their arms, refrain from violence, and desist from occupying public buildings, erecting road blocks, illegally detaining international officials and challenging the authority of the State. We restate our position that the declaration of a people's republic of Donetsk and other separatist and secessionist pronouncements violate the Constitution of Ukraine and are therefore of no legal effect. We call on all concerned to respect the independence, territorial integrity and sovereignty of Ukraine, in line with the Charter of the United Nations.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan) (*spoke in Arabic*): We thank Under-Secretary-General Jeffrey Feltman for the briefing he has just provided to the Council.

Jordan welcomes the successful holding of presidential elections in Ukraine, despite the exceptional circumstances in the country caused by the illegal actions of lawless individuals and rebels seeking to prevent a successful voting process. It is our hope that the elections will signal a return to stability in Ukraine and lead it down the road to democracy. We commend the efforts of the Ukraine Government to ensure successful elections by eliminating obstacles in order to allow all Ukrainians to vote for their future. Now that Ukrainians have been able to vote fully and freely, the international community must respect their choice. We urge the international community to recognize the results of the election and to work with President-elect Petro Poroshenko so as to enable him to meet his people's aspirations to a better future.

We express our concern about continuing acts of violence and criminality in eastern Ukraine, especially in the Donestk region, where there have been a number of casualties. Jordan reaffirms Ukraine's legitimate rights, guaranteed under international law, to protect its territorial integrity, sovereignty and the security of its citizenry. The exercise by the authorities of their right to calm tensions and restore stability must be in line with international law and international humanitarian law. We reaffirm our call on all influential parties to persuade the rebels to lay down their weapons and to withdraw from the buildings and facilities they are occupying.

Mrs. DiCarlo (United States of America): I thank Under-Secretary-General Feltman for his comments today and for his engagement on the Ukrainian issue, including through trips to Ukraine.

Ukrainians turned out in historic numbers on Sunday, uniting to express their political will to choose freely their own future. The United States congratulates the people of Ukraine on having voted in large numbers to express their clear desire for a united, democratic and peaceful Ukraine. The election reaffirms Ukraine's commitment to the democratic process. We look forward to working with President-elect Poroshenko and the people of Ukraine to build on this victory for democracy in order to create a more unified, secure, transparent and prosperous Ukraine.

We note the importance of the Organization for Security and Cooperation in Europe (OSCE) judgement that the election was largely in line with Ukraine's international commitments and demonstrated respect for fundamental freedoms in the vast majority of the country. Thousands of independent electoral observers — international and domestic — supported the OSCE determination. We thank the OSCE Office for Democratic Institutions and Human Rights, the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe, the European Parliament, the NATO Parliamentary Assembly and the other international and non-governmental organizations and observers who contributed to the effort.

But as we celebrate the successful 25 May presidential election, we must also condemn the actions of those who sought to derail the voting in parts of eastern Ukraine. In particular, we condemn the actions of pro-Russian armed separatists operating in Donetsk and Luhansk, who attacked district election commissions and polling stations and intimidated election workers, notably through abductions, death threats, forced entry into private homes, the seizure of equipment and election materials, and the shooting of a candidate proxy. Those illegal actions constituted attempts to obstruct the election and to interfere with citizens' rights to participate.

Yet even in those two regions of the east where pro-Russian separatist groups sought to disenfranchise

the population, some courageous Ukrainians endeavoured to vote. The United States commends the resolve of the Ukrainian people to participate despite the threats, provocations, and violence. We take particular note of the Central Election Commission, which established special accommodations to enfranchise voters in the areas where separatists worked to disrupt voting, by allowing citizens to vote at alternate locations, and which made voting arrangements for Crimeans to vote outside of Ukraine's Crimea region, which remains under Russian occupation.

President-elect Poroshenko and the Ukrainian Government have many challenges before them. We are heartened by the President-elect's stated goal to make national reconciliation a priority. Forging a common political vision will be essential. In that regard, we welcome the Ukrainian Government's intention to continue the OSCE-supported national unity round tables, which have allowed Ukrainians from all regions and all political views to come together to discuss their differences and their common interests in a peaceful, unified and stable Ukraine. We also welcome the Rada's 21 May memorandum of understanding and peace, which calls on all citizens to abandon radical actions and hatred and to protect, promote and build a democratic, sovereign and united Ukraine.

We are also encouraged by President-elect Poroshenko's willingness to seek greater decentralization for the regions, to pursue constitutional reforms following the election and to engage in dialogue with Russia. Since the Russian Federation has stated that it will respect the will expressed by the Ukrainian people, we urge Russia to recognize the results of Sunday's election and begin to engage constructively with President-elect Poroshenko and the Ukrainian Government to resolve the crisis.

Despite the progress made with Sunday's election we are deeply concerned by the increased violence in Donetsk and Luhansk, including the seizure of the Donetsk airport by separatists, and we are disturbed by ongoing reports that separatists continue to carry out criminal actions in parts of eastern Ukraine. We recognize that Ukraine must uphold law and order on Ukrainian territory, and we call on the separatists to disarm and end the violence. Of particular concern are reports of the detention of international monitors from the OSCE after they were stopped at separatist checkpoints in the Donetsk region. We condemn the abductions and call on Russia to use its influence with the separatists to secure the the immediate release of the monitors and their unimpeded access throughout Ukraine. We also remain concerned by reports that armed groups and weapons continue to cross the border from Russia into Ukraine. We believe Russia can and must act to stem such provocative actions along the Russia-Ukraine border.

In conclusion, let me reiterate my Government's continued support for the aspirations of the people of Ukraine to a prosperous, sovereign, independent, and united Ukraine, including the Crimea region, with strong ties to both East and West. We remain committed to working with Ukraine and other partners in order to seek de-escalation and a peaceful resolution of the conflict and to respect the territorial integrity of Ukraine.

Mr. Wang Min (China) (*spoke in Chinese*): I would like to thank Under-Secretary-General Jeffrey Feltman for his briefing.

China has taken note of the presidential election held in Ukraine on 25 May and respects the choice made by the people of Ukraine. At present, he continuing problems and occasional outbreaks of armed conflict and violence in Ukraine have resulted in heavy casualties and loss of life, about which China is deeply concerned.

Regarding the situation in Ukraine in general, I would like to stress the following points.

First, China adheres consistently to the principle of non-interference in other countries' internal affairs and respects the sovereignty and territorial integrity of all countries, including Ukraine. We urge all parties in Ukraine to remain calm and restrained, bring an immediate halt to the violence, avoid harming innocent people and prevent the further escalation of tension and worsening of the situation. China hopes to see stability return with the early restoration of law and order in the country.

Secondly, the crisis in Ukraine involves complex historical factors and ethnic conflicts. A political solution is the only way to defuse it. We hope all the parties will continue with dialogue and negotiations and will push for a settlement of the crisis through political means, by giving full recognition to the legitimate rights, interests and aspirations of every region and ethnic group in the country, accommodating all parties' legitimate concerns and achieving a balance of interests among them.

Thirdly, China supports the international community as it continues to use its good offices to ease the situation in Ukraine. It is an urgent priority that all parties refrain from making threats and imposing sanctions and return to the consensus of the four-party Geneva talks to ensure full implementation of that consensus and, on the basis of that agreement, resume the four-party talks and allow political dialogue to play the major role in reaching a negotiated settlement to the crisis, seeking common ground while avoiding conflict and confrontation.

Fourthly, China has always adopted a fair and objective approach on the issue of Ukraine and has advocated a three-principles initiative that we had proposed for a political solution to the Ukraine crisis. We have continued, in our own way, working with all parties. We are in favour of any option that is conducive to easing tensions and promoting a negotiated political settlement, and we are willing to continue our constructive role.

Ms. Lucas (Luxembourg) (*spoke in French*): I too would like to thank the Under-Secretary-General for Political Affairs, , Mr. Jeffrey Feltman, for his intervention.

Luxembourg welcomes the holding on 25 May of the presidential election, during which the Ukrainian people expressed their will. The election featured a high voter turnout and a clear willingness on the part of the authorities to organize a genuine election, conducted largely in line with international commitments and with respect for fundamental freedoms. In the vast majority of the country's regions the election passed off under good conditions. Despite the hostile security climate, voting was held successfully in 9 of 22 and 2 of 12 electoral districts in the regions of Donetsk and Luhansk respectively. Despite the situation in eastern and southern Ukraine, including Crimea, participation was generally high. The election observation mission of the Organization for Security and Cooperation in Europe (OSCE), in which Luxembourg has been an active participant, gave the conduct of the election an initial generally positive assessment.

The success of this election is due first and foremost to the citizens of Ukraine. Their choice was clear. They voted for a united, stable Ukraine enjoying full sovereignty and territorial integrity.

Luxembourg condemns the violence that has gone on for several weeks, particularly in the Donetsk and Luhansk regions, where several towns and administrative buildings remain under the control of separatist armed militias. We are concerned about the numerous cases of killings, torture, beatings, kidnappings — especially of journalists — committed by well-armed and well-organized anti-Government groups.

We also condemn in the strongest terms the abduction of 15 observers deployed with the OSCE's special observation mission in the Donetsk region. We welcome the release today of the 11 observers who had been arrested, but we remain concerned about the fate of the four observers who have been missing since Monday. They should be released safe and sound, immediately and unconditionally.

At this crucial moment for democracy in Ukraine, we call on Russia to translate into action its declarations of respect for the will of the Ukrainian people. As the Heads of State and Government of the European Union said yesterday, we expect the Russian Federation to cooperate with the new, legitimately elected President, to continue withdrawing armed forces from the Ukrainian border and to use its influence with the armed separatists to calm the situation in eastern Ukraine. Russia should give priority to preventing the movement of separatists and arms in Ukraine.

Ukrainians have given a strong mandate to President-elect Poroshenko, who must now commit to resolving the crisis through the rule of law and dialogue initiated by the Ukrainian Government. In that context, we commend the holding of three round tables organized by the Government, with OSCE support, in Kyiv, Kharkiv and Mykolaiv. We encourage the Ukrainian authorities to use the legitimacy of the newly elected President to pursue this national dialogue with the general public and civil society in every region of Ukraine.

The Ukrainian Parliament's adoption on 20 May of the memorandum for peace and harmony, which identifies priorities in the area of decentralization and guarantees of respect for the status of the Russian language, is an important step in the right direction. Prompt constitutional reform towards decentralization, which should unite all parties, while benefiting from the Council of Europe's expertise in that area, is a key aspect of that process. The rights of national minorities must be fully respected, in accordance with the rules in force at the Council of Europe.

We reaffirm our commitment to the Geneva statement of 17 April. We commend the role of the OSCE special observer mission in contributing to the implementation of that statement, as well as the efforts of the Ukrainian authorities in that direction. We again call on the Russian Federation to take steps to fully implement the joint statement. We unreservedly support the additional efforts of the OSCE and its Chairman-in-Office, given that Ukrainians must have ownership of the process.

We support the good offices of the Secretary-General and his team. We strongly hope that, with the consistent and joint support of the international community, the holding of the presidential election on 25 May and the selection of a new President with unquestionable legitimacy will make it possible for Ukraine to start afresh and emerge from a crisis that has lasted too long. The citizens of Ukraine aspire to democracy, the rule of law, peace and prosperity. Their choice, like the sovereignty, territorial integrity, unity and independence of Ukraine, must be respected.

Ms. King (Australia): I thank Under-Secretary-General Feltman for his briefing.

Australia congratulates Ukraine on the successful holding of presidential elections on 25 May. The high turnout, in which millions people cast ballots across the country, reflects the determination of the Ukrainian people to chose their own Government without interference. It is a demonstration of their commitment to a sovereign, democratic and independent Ukraine.

We commend the work of the Ukrainian electoral authorities and the willingness of the Ukrainian political parties to participate and support the electoral process in difficult circumstances. We also commend the observer mission of the Organization for Security and Cooperation in Europe (OSCE) for its efforts across the country. We welcome the OSCE's preliminary findings that the elections were held in line with international standards and respect for fundamental freedoms. We congratulate President-elect Petro Poroschenko, who has been given a clear mandate to govern Ukraine.

Regrettably, not all Ukrainians were able to vote. In two areas in eastern Ukraine, pro-Russian separatist forces prevented many polling stations from opening, depriving of their right to cast their ballots. We commend the efforts of the Ukrainian authorities to perform their electoral duties in those areas in the face of threats, intimidation and violence. Due to the unlawful annexation of Crimea, the Ukrainian citizens in that region were unable to cast their votes at all. We applaud those who travelled from the Crimean peninsula specifically in order to vote elsewhere in Ukraine. That was a clear expression of support on their part for a democratic and unified Ukraine.

The restoration of stability in the east presents a very serious challenge for the new Ukrainian Government. Pro-Russian groups continue their efforts to destabilize the region, attacking Ukrainian forces, occupying administrative buildings and targeting major infrastructure, such as Donetsk airport. Reports that militants have attempted to cross the border from Russia into Ukraine in the past few days are deeply concerning. It is essential that Russia control its borders to prevent any such incursions. In such circumstances of continued destabilization and the use of force by separatists, the Ukrainian authorities have the right to protect their own citizens and to re-establish control over their territory. They should continue to do so in a manner proportionate to the circumstances.

Given the current instability, the efforts of journalists and monitors are particularly crucial. We condemn the continuing attacks by separatists on journalists, as the OSCE Representative on Media Freedom, Ms. Mijatović, stated on 23 May. Journalists are deliberately targeted for doing their job of trying to tell the outside world of the events taking place in Ukraine. We condemn the killing of an Italian journalist and his assistant near Sloviansk on 24 May. We are also deeply concerned about reports that the four missing OSCE monitors in the Donetsk region are being held by separatists. They must be released immediately. While we, of course, welcome the safe release today of 11 OSCE monitors, we share the Secretary-General's concern that international staff in Ukraine continue to be placed in great danger. We agree with him that the detention of international staff is completely unacceptable.

The conduct of the presidential elections on 25 May was a central element of the OSCE road map for the stabilization of Ukraine. The country now has the opportunity to secure a stable and peaceful future. We welcome the President-elect's commitment to travelling to the east and to engage closely with the communities there to overcome their differences. Such an inclusive approach will be crucial to ensuring a successful constitutional reform process.

We welcome President Putin's statement that Russia will respect the election outcome. It is now time for serious dialogue between Russia and Ukraine and an express commitment on the part of Russia to Ukraine's sovereignty and territorial integrity. That is so clearly in the interest of both countries. As Australia's Foreign Minister, Julie Bishop, said on 26 May, Australia stands with the people of Ukraine, who have shown through the election their commitment to democracy and political and economic stability and to determining their own Ukrainian future. We share the Secretary-General's desire to see the international community unite in support of a peaceful, stable and prosperous Ukriane. Australia looks forward to working with the new Ukrainian leadership.

Mr. Lamek (France) (*spoke in French*): I, too, thank Mr. Feltman for his briefing.

The Ukrainian crisis has recently seen a turning point with the election of Mr. Poroshenko as President of the Republic. On Sunday 25 May, the Ukrainian people at last made its voice heard through the free and transparent elections despite the violence by separatist armed groups in the Donetsk and Luhansk regions in the east of the country. In the first round, there was a rapid and clear result. We welcome Mr. Poroshenko's victory. We affirm that we are fully ready to work with him. From the first round, with its high turnout, the election demonstrated to us the aspiration of most Ukrainians for unity.

I would like to briefly come back to the elections. First, they were free, as there were no fewer than 21 registered candidates. That number speaks to the vast array of policies on which all Ukrainians were urged to vote on Sunday in order to build their future. There was not only one candidate or a predetermined outcome. Next, they were tansparent, as 2,784 international observers were accredited to ensure their smooth conduct. Yesterday, the Organization for Security and Cooperation in Europe (OSCE) reported that the election respected democratic norms. The President-elect is therefore fully legitimate. We will closley review the results of the Central Electoral Commission and the assessment to be made by the OSCE Office for Democratic Institutions and Human Rights on the conduct of the elections. In passing, I note that the results also affirm, as if it were necessary, the extent to which the propaganda condemning the influence of the fascists in Ukraine was baseless. The two parties of the extreme right received less than 3 per cent of votes.

The elections are therefore good news, given that their conduct was threatened on many occasions. However, we recall that they took place in a particularly difficult security context. The situation in the Donbass region remains of great concern. Human rights violations and restrictions on the freedom of the press are increasing. Two journalists were killed last Saturday. Four OSCE monitors were abducted in Donetsk and are still being detained. They must be released immediately. Donetsk airport was occupied by armed separatist groups, before being retaken by Ukrainian forces. The armed separatist groups must immediately cease their activities. We call on all those who have influence over them to use that influence to allow for a return to calm. Finally, let us no forget that Crimea remains occupied.

In this tense situation, Sunday's elections represent nonetheless an opportunity. Mr. Poroshenko, who will take the reins of Ukraine in early June, will have three priorities: to restore calm, establish an inclusive Government and undertake reforms. Those three priorities should be based on national dialogue, which must be extended and deepened.

Today, for Ukraine, there is no other way forward than the path of unity and reconciliation. In that context, we hope that Mr. Poroshenko will work to consolidate the unity of his country by continuing the process of Ukrainian national dialogue launched with the support of the OSCE on 14 May, and by supporting the implementation of the memorandum on peace and harmony, adopted by the Rada on 20 May. Those initiatives, which provide for inclusive constitutional reform for decentralization and guarantee the status of the Russian language, are steps in the right direction.

The process must first and foremost be led by Ukraine itself, with the support of the OSCE. The European Union stands ready to support those efforts, as recalled by the Heads of State in their declaration at the Council of Europe yesterday. However, it is up to the international community as a whole to stand by Ukraine in a useful way in writing the next pages of its history.

Mrs. Perceval (Argentina) (*spoke in Spanish*): I thank Under-Secretary-General for Political Affairs Jeffrey Feltman for his briefing on the latest developments in Ukraine and the status of the issues being dealt with by the good offices of the United Nations. Argentina continues to follow the situation

in Ukraine very closely and remains concerned by the developments in the eastern regions of the country.

With regard to the election process of last Sunday, Argentina, as a matter of principle and of general policy, does not comment on the results of elections, which are by their very nature under the exclusive jurisdiction of each State. We reiterate that due respect must be paid to Ukraine's conduct of its internal affairs, without any type of interference or intervention, be it military, political or economic, in matters that are under its own jurisdiction. Argentina respects the decision of the people of Ukraine.

We have repeatedly emphasized the need to establish conditions conducive to restarting the urgent dialogue process. We hope that the presidential elections held on 25 May will contribute to that and to a decrease in tensions by decreasing the risk of new violent confrontations and decreasing the spiral of violence, which if it continues, would have severe repercussions on the stability not only of Ukraine, but also the region. The actions of armed groups, unilateral actions and the human rights violations and abuses will only deepen the crisis and put the security and living conditions of the civilian population at risk.

We are concerned about reports of the disappearance of four members of the international observers team of the Organization for Security and Cooperation in Europe, who have not been heard from since Monday. In that connection, we call on all parties concerned to take every possible step to ensure that the observers are immediately released unharmed. In particular, Member States with influence on the parties should bring positive pressure to bear to that end.

We are convinced that the only solution to the crisis in Ukraine is political and diplomatic. Therefore, we reiterate our call on all parties to exercise maximum self-restraint and contribute to a constructive dialogue. In that vein, the effective implementation by all parties of the measures agreed on in Geneva continues to be necessary to making progress in a dialogue process, which will encourage confidence between the various communities and assure all Ukrainians throughout the country that their main concerns and rights will be cared for.

Any violation or abuse of human rights is unjustifiable. The cases of killings, torture, abduction, harassment, illegal detention and intimidation must be investigated and the perpetrators brought to justice. We therefore call on all the national and regional authorities of Ukraine to take effective steps not only to prevent human rights violations and protect human rights, but also to ensure that all security forces respect those rights.

Once again, we reaffirm that the international community should, on the one hand, focus its efforts on ensuring that the parties enter a constructive dialogue with full respect for human rights, international humanitarian law and respect for the rights of all minorities and, on the other, act strictly within the framework of international law and the Charter of the United Nations, with the objective of achieving domestic peace in the country and creating a climate conducive to sustainable, inclusive and prosperous development.

Mr. Barros Melet (Chile) (*spoke in Spanish*): We are grateful for the report of Under-Secretary-General for Political Affairs Jeffrey Feltman and for the convening of this meeting.

My delegation closely followed the elections that took place on Sunday, 25 May, in which Mr. Poroshenko was declared the winner. We value the cooperation extended to the provisional Government of Ukraine, especially the support provided by the Organization for Security and Cooperation in Europe (OSCE) by sending more than 1,000 electoral observers and logistical support, which was fundamental to the success of the elections.

We believe that the elections are a crucial step in the political process, which should restore the stability of the country on the basis of inclusive dialogue with full respect for minorities, human rights and the rule of law. Nevertheless, we deplore the fact that the electoral process did not cover the entire territory of Ukraine. We call on those groups that sought to prevent the elections from taking place normally to join the building of a new future in their country in which all groups and minorities will feel involved. We also recognize the major responsibility of the Ukrainian authorities, both the current and the elected ones, to undertake the political process in an orderly fashion. In that context, we deplore the violent events that took place in Donetsk in the days after the election, and we express our concern at the consequences of a potential escalation of the crisis.

Nevertheless, the political process has not come to an end with the elections. The fundamental

responsibilty falls to the Ukrainian authorities, but equally important is the contribution of countries of the region and regional organizations to continue cooperating in the finalization of the process. We also underscore the various initiatives of the Secretary-General and, definitely, those of the entire United Nations system, which has sought a political solution from the very beginning of the crisis.

We call on both the Government and separatist groups to establish common ground on the basis of which a dialogue can take place, thereby putting an end to all current areas of violence. We reiterate our support for the calls of the Assistant Secretary-General for Human Rights, Mr. Ivan Šimonović, for accountability for all human rights violations and abuses and for the perpetrators, whoever they may be, to br brought to justice.

Finally, Chile once again reaffirms the need to respect the independence, sovereignty and territorial integrity of Ukraine. A new phase is beginning in Ukraine. Accordingly, a new era of cooperation should begin in the Council in order to enable it to help establish the conditions for the Ukrainian people to pursue their sovereign future in peace and democracy.

Mr. Cherif (Chad) (*spoke in French*): I thank Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs, for his briefing.

Chad welcomes the holding of presidential elections in Ukraine on 25 May and its turnout of more than 60 per cent. The Ukrainians were able to vote freely and elect Mr. Petro Poroshenko in a transparent manner, with 55 per cent of the vote in the first round. We congratulate the Ukrainian people and their new President-elect, Mr. Poroshenko. Despite the challenges in the eastern part of the country, where the ballot was disrupted by ongoing violence, the elections went smoothly. Chad hopes that the elections, whose proper conduct was attested to by all international observers, will endow the new President-elect with the legitimacy and authority necessary to establish trust among all components of Ukrainian society and preserve unity of the country while respecting its diversity.

The election of the new President-elect marks a major step in the consolidation of democracy and starts a new phase that should allow a process of stabilization and economic recovery in the country to be initiated through dialogue. The international community must support the new Ukrainian authorities in meeting the numerous challenges before them. While we welcome the important step taken in the presidential elections in Ukraine, Chad remains concerned by the situation in the eastern part of the country. Chad condemns the ongoing acts of violence in the east, which have led to several deaths and the kidnapping of four monitors from the Organization for Security and Cooperation in Europe (OSCE), whose immediate release we demand from their captors. Chad reiterates its call for the immediate cessation of fighting and invites all the parties to refrain from the use of force and to favour a peaceful way out of the crisis through dialogue.

In that regard, the task of bringing peace and reconciliation to all the Ukrainian people falls principally on the new President-elect in his capacity as President of all Ukrainians without exception. In that context, we invite the armed groups to lay down their arms and start direct negotiations with the new Ukrainian authorities in order to restore peace and preserve the country's unity. We believe that frank and open dialogue is the best response to all expectations and anxieties. Unilateral proclamations of independence on a part of the Ukrainian territory will not call into question the integrity and sovereignty of the country to which Chad remains committed.

In that perspective, Chad recognizes the importance of the mediation of the international community in general, and of the United Nations, the OSCE and Ukraine's neighbours in particular, in the search for a peaceful result to the crisis in Ukraine. Chad gives its full support to all good offices.

Mr. Nduhungirehe (Rwanda): I thank the President for convening today's meeting. I also thank Mr. Jeffrey Feltman, Under-Secretary-General for Political Affairs, for his briefing on the situation in Ukraine. Rwanda welcomes Sunday's presidential elections. We congratulate President-elect Petro Poroshenko for his decisive victory that will provide him with the legitimacy required to end the Ukrainian crisis.

As reported by several national and international monitors, including the Organization for Security and Cooperation in Europe (OSCE), elections in most of Ukraine were free, fair and peaceful, with a high turnout of over 60 per cent, despite reported cases of polling irregularities and disruptions. However, it is unfortunate that Ukrainians in some areas in the eastern part of the country were denied the right to vote.

We commend the President-elect for his commitment to continuing the political dialogue, including with the separatists in eastern Ukraine. We recall that the Geneva declaration of 17 April provides a good basis for that dialogue. We are also encouraged by the Mr. Poroshenko's pledge to engage the Russian Federation in talks. We are equally encouraged by the willingness of the Russian Federation to engage in dialogue with the new Ukrainian leadership. In that regard, we reiterate our support for the Secretary-General and his good offices, aimed at finding a political and diplomatic solution to the crisis. We are convinced that he will seize the momentum to achieve a breakthrough with the support with the parties concerned.

Meanwhile, the continuing violence in the east, especially around the city of Donetsk, where a fierce battle for control of the airport took place, is alarming. We are also concerned about the killing of journalists and the abduction of international monitors representing the OSCE. We take note of the release of 11 monitors and call for the immediate release of the remaining four monitors who were abducted on Monday. We urge all armed protesters to disarm and respect the independence, sovereignty and territorial integrity of Ukraine.

Rwanda recognizes the legitimate right of the Government of Ukraine to restore law and order in the east and on the whole territory of Ukraine, as was reaffirmed by the President-elect. However, we call on the Ukrainian authorities to exercise that right in a proportionate manner, bearing in mind that the only sustainable way out of the crisis is through a political and inclusive dialogue as well as constitutional reforms aimed at further decentralization and the promotion of equality and rights of minorities, including cultural and linguistic rights.

Let me conclude by saying that the Ukrainian presidential elections of last Sunday were a turning point, as they have provided the country with a legitimate leader who has enough political capital to make peace among Ukrainians and to in the region. We call on the international community, particularly the United Nations, the European Union, the OSCE and the Russian Federation, to support the new leadership in that political and diplomatic process.

Ms. Murmokaitė (Lithuania): The people of Ukraine have spoken. Last Sunday, they cast their votes for the future of a united Ukraine in an election that was widely recognized as free and fair and in line with international standards by numerous international observers. As Ilkka Kanerva, head of the delegation sent to the elections by the Parliamentary Assembly of the Organization for Security and Cooperation in Europe (OSCE) said, "The impressive turnout ... offered a powerful rebuke to those who would challenge Ukraine's unity and progress".

Intimidations, kidnappings and seizures of ballot boxes and voting premises by pro-Russian separatists could not stop those who care for their country from expressing their will democratically and freely through a ballot box, in stark contrast to those who only know how to impose their will at gunpoint. Everywhere, including south-eastern Ukraine, the lead of President-elect Petro Poroshenko was clear and obvious, leaving no room whatsoever for speculations regarding the legitimacy of the election.

Importantly, Ukraine's Sunday election demolished the myth of Ukraine's radical extremism, which has been staple fodder for a repulsive anti-Ukrainian propaganda campaign. It is time to put to rest once and for all the shameless incitement against and demonization of Ukraine and the Ukrainian people, which have done enormous damage to relations between the two nations and led to bloodshed under false pretexts on Ukraine's soil.

The people of Ukraine have spoken. Sunday's election results confirmed what we knew all along. While many in eastern Ukraine have legitimate grievances regarding their socioeconomic conditions and the relationship between the centre and the regions, they do not seek Ukraine's fragmentation. On the contrary, the overwhelming majority of Ukraine's citizens, including those in the east and south of the country, see their future in a united and democratic Ukraine.

The challenges facing the new President and his Government are enormous, as they will have to overcome decades of neglect and pervasive corruption, restore the rule of law, rebuild trust and confidence among the citizens and regions, as well as between the citizens and their Government, by implementing comprehensive and inclusive political and economic reforms. The national dialogue meetings and the recently adopted memorandum on peace and concord offer good grounds for openness and inclusiveness, as well as the involvement of the broadest groups of Ukraine's society as the country seeks to break away

from the corrupt legacy of past rule. We wish the President-elect and the people of Ukraine all the very best in that important endeavour.

At the same time, we stress once again that Ukraine's independence, sovereignty and territorial integrity are non-negotiable and must be respected by all. We welcome the statements by Russia's leaders that they will respect the outcome of Ukraine's vote. It is now time for them to walk the walk. It is time for Russia to discard its propaganda war against Ukraine and to engage in a genuine and meaningful dialogue. We urge Russia to fully withdraw its troops from the Ukrainian border and to stop the free flow of arms, weaponry and foreign fighters into Ukrainian territory. Ukraine's borders and air space must be respected.

In view of Russia's influence on and contacts with illegal armed groups, it is key that Russia unequivocally denounce, condemn and disassociate itself from the militant separatism plaguing Ukraine's south-east. Such steps are essential to helping restore a sense of trust between the two neighbouring States and to embark on a path of de-escalation, on the basis of the 17 April Geneva statement and with the continued monitoring and support of the international community on the ground.

Crimea's occupation has led to growing numbers of internally displaced persons, who now number nearly 10,000. The countless acts of violence committed by heavily armed separatist groups — such as ongoing banditry and looting, extortions, intimidation, abductions, beatings, torture, bloody ambushes and killings — are in direct violation of the human and social rights of the people they falsely claim to represent. The separatists in eastern Ukraine defy the very basic principles of national and international law and flaunt their contempt for human rights. Cases of illegal self-proclaimed people's courts sentencing local officials to death, followed by actual executions, have been reported. The increasing involvement of foreign fighters, including Chechen mercenaries, is deeply worrying and may, if unchecked, spin out of control.

The false and dangerously misleading narrative of fighting Ukrainian fascists continues to be exploited. The deliberate targeting of journalists, including attacks, beatings and abductions, as well as the confiscation and destruction of their equipment, have been reported. A young Italian journalist lost his life. Such attacks must be firmly condemned. Only a few days ago, the self-proclaimed mayor of Sloviansk confirmed that his group alone held some 40 hostages. The overall number of hostages and forced disappearances is obviously higher and remains a cause of serious concern. For example, 12 high-ranking police officers were abducted by armed separatists in the Luhansk region on 26 May.

International monitors are increasingly under attack, including the abduction on Monday, 26 May, of four representatives of the Organization for Security and Cooperation in Europe (OSCE) special monitoring mission, which was the second such incident in two months. Earlier today, we received alarming information that another 11 OSCE monitors had been detained by pro-Russian separatists on their way from Donetsk to Dnipropetrovsk. They have now been released. Lithuania strongly condemns all interference with the work of international observers and urges all parties to ensure that they can carry out their important work in safety and security.

No country would sit idle and watch indifferently as groups of insurgents armed with illegally obtained weapons, increasingly with the help of foreign mercenaries, go about disrupting the functioning of the State and its very statehood by intimidation, violence and force. In the face of the ongoing onslaught against the State of Ukraine, we stress Ukraine's legitimate right to defend its statehood and territorial integrity from illegal separatist groups that have taken up arms against their own country and demonstrate utter disdain for its Constitution, its laws and its people. While reiterating our commitment to Ukraine's independence, sovereignty and territorial integrity, we stand ready to support its new leadership and the people of Ukraine on the path of democratic reforms and peace. The people of Ukraine have spoken. Each and every one of us must respect their choice.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The 25 May elections were a step in the right direction. As the President of Russia, Mr. Vladimir Putin, stated before they were conducted, "we respect the elections of the Ukrainian people". However, we would stop short of the euphoria that our Western colleagues have demonstrated. Elections are not a panacea. In evaluating them and their potential consequences, there is a need to take into account the events that preceded them and the context in which they took place. We cannot forget the havoc wreaked by those who opposed the legitimately elected President or the coup d'etat carried out with outside support and help from national radical forces. We cannot forget the tragedies that took

place in Odessa on 2 May and in Mariupol on 9 May. We cannot remain deaf to the mortar fire in the south-east, where punitive operations are being carried out.

We have to recognize that the elections were not totally free and democratic. A heavy influence was brought to bear, including the threat of physical violence, in favour of certain candidates, while others were forced to withdraw from the electoral race. The elections saw the violent suppresion of the mass media. The consolidation of the population was achieved essentially through the marginalization and terrorizing of entire regions and the spreading of anti-Russian propaganda.

However, today we cannot simply discuss the electoral process in one particular country. The Security Council has the entirely different mandate of bearing primary responsibility for international peace and security. When a portion of Ukraine is essentially at war, we in this Chamber should be talking about how to end the violence and to move the situation onto a more peaceful front by faciliating negotiations among all Ukrainian parties.

For Russia, that task is of particular importance, given that the military operations are taking place extremely close to our borders. Security Council members should call upon Kyiv to finally acknowledge the need to take the interests of all citizens of the country into account and to put a swift end to the punitive operations in the east and south. That is what is its citizens expect and what is required of Kyiv in line with its obligations under the Geneva declaration and the Organization for Security and Cooperation in Europe (OSCE) road map. It would allow for genuine, nationwide dialogue to agree on comprehensive constitutional reforms. Genuine dialogue is needed rather than punitive operations behind the smoke screen of round tables organized without the participation of representatives of the east and south of the country.

It is interesting that immediately after the elections, the memorandum on peace and concord was somehow forgotten. Instead of seeking agreement among citizens, they are assaulted by insults. Russia is blamed for every possible problem. There are calls for to end the punitive operations swiftly by intensifying them. People are being pushed into the army and the so-called national guard. Those who do not want to kill their own people are dealt with. There has been increasing use of air assets, tanks, armoured vehicles and mortar guns, and the chaotic bombing and artillery fire against civilian targets, including schools, kindergartens and hospitals. In spite of the calls of the leaders of besieged cities, peaceful citizens are not allowed to leave military areas. There are no secure humanitarian corridors, and the Ukrainian authorities are taking no measure fo r the evacuation of children or the unification of separated families. The provisions of the 1989 (2011) United Nations Convention on the Rights of the Child are violated, as are the basic safeguards stipulated in Additional Protocol II of the Geneva Conventions.

We regret to note that some Council members continue to justify, in all possible ways, the military actions of the Kyiv powers. Today, indeed, a colleague qualified actions in that context as admirable in manifesting restraint. We would like to say: You shall answer to God, ladies and gentlemen.

There is much evidence in the mass media and video material on the use by Ukrainian forces of helicopters displaying United Nations markings. The latest such instance was observed as recently as 26 May in the skies over the Luhansk region. We call upon the United Nations Secretariat not to be passive in situations where United Nations rules are violated but to deal with the issue and take active measures to put an end to those practices that discredit the United Nations. A simple negation of the facts by the Kyiv authorities is not enough.

The road map of the OSCE contains plans to investigate all cases of mass killings. However, there has been no progress in that respect. The investigation of the incidents of 18 through 20 February in the Maidan, including repercussions of the case of the sniper, have not fared any better. There has been no response to our urgent calls for an international investigation into the tragic events in Odessa on 2 May, when, as is known, an unidentified lethal chemical substance was used, nor of the incident of 9 May in Mariupol. The Ukrainian side is avoiding serious interaction with international structures on this issue.

Representatives of the mass media face ongoing threats and persecution by the Ukrainian authorities, who prevent them from carrying out their professional activities and investigating the chaos in the country. Today everybody knows of the outrageous detention of journalists from the Russian television channel "Life News" and the cruel treatment they suffered. We have lost count of the cases of journalists who have been refused entry into Ukrainian territory or expelled on far-fetched pretexts. We express condolences to

the families of the Italian journalist and his Russian companion, who died at the hands of the Ukrainian forces.

We are seriously concerned about the situation of the two groups of OSCE observers. One group included a Russian citizen. We will do everything we can to find and liberate those who have not yet been freed. Nevertheless, we call attention to the fact that primary responsibility for the security of the observers attaches to the Ukrainian side. However, Kyiv has not yet concluded the internal State procedures for ratification of the memorandum of understanding with the OSCE guaranteeing the inviolability of staff of international missions. Ambiguity in the status of OSCE observers, who have been working in Ukraine for more than two months, is a genuine threat to their security.

In conclusion, we truly hope that the presidential elections of 25 May will nevertheless mark the beginning of a new, more constructive period in the internal political life of the Ukrainian State. However, for that, it must be backed by specific actions for broad national agreement. Ukrainian politicians have many times violently taken advantage of their people. It is our hope that this will not occur during the current crucial period of the country.

The President: I shall now make a statement in my capacity as the representative of the Republic of Korea.

My delegation thanks Under-Secretary-General Jeffrey Feltman, for his briefing. The Republic of Korea congratulates Ukraine on holding successful presidential elections on 25 May. We are pleased to note that the elections were carried out in a fair and transparent manner, with a high turnout, despite the challenging security environment in the eastern part of the country. We believe that the election represents a step forward in the de-escalation of tensions.

In the light of that, we call on all sides to respect the results of the election and cooperate with the newly elected President and his Government. At the same time, we condemn election-related violence by illegal armed groups, including the forced closure of the district election commission and the intimidation of election officials.

We hope that the Ukrainian Government will now take this invaluable opportunity to lead an inclusive and transparent constitutional process that reflects the interest of all Ukrainian people, including minorities. In that regard we welcome President-elect Petro Poroshenko's announced plan to visit the eastern regions and to pursue cooperative solutions with all sides. In addition, the series of round tables as part of the national dialogue is also a welcome development. We believe it is essential to any sustainable solution to the crisis.

Despite the positive steps, we remain deeply concerned over the continuing escalation of tensions in eastern Ukraine, including the recent fighting between the armed separatist groups and Ukrainian security forces. We are also concerned over abductions of members of the OSCE monitoring mission near Donetsk. The safety and security of the members of the missions must be fully guaranteed.

In conclusion, I would like to highlight that the stability and prosperity of Ukraine is critical not only to peace in Europe but also to the international community. We once again reaffirm our full support for Ukraine's sovereignty, independence and territorial integrity.

I now resume my functions as President of the Council.

I give the floor to the representative of Ukraine.

Mr. Sergeyev (Ukraine): Thank you, Mr. President, for convening this meeting on the current situation in Ukraine. I thank Mr. Feltman, Under-Secretary-General, for his briefing. I thank all Council members for supporting the elections held by Ukraine on 25 May and for the kind recommendations and encouragement to the new Government and President-elect regarding their plans in consolidating Ukraine.

I thank the Council for sharing assessments of the elections, which coincide with the assessments of the Organization for Security and Cooperation in Europe (OSCE), one of the largest observer commissions. The OSCE stated that the presidential elections in Ukraine on 25 May were free, democratic and held in full conformity with national legislation and international standards. It has become an historic success of the Ukrainian people and their democratic State.

On 25 May, the people confirmed their readiness to protect their native land from existing external threats and their desire for peace and a European future, as well as an absolute rejection of Russian aggression. The vast majority of Ukrainian citizens — from all regions of the country, including occupied Crimea — participated in the vote at more than 90 per cent of the country's polling

stations, thereby confirming the full representativeness and legitimacy of their will.

It is important that the election results crushed all anti-Ukraine propaganda clichés. Were all the Ukrainian fascists or Nazis, when the so-called "ultra-nationalist" candidates gained minimum support in the elections? Where are all the phantom supporters of succession or of the federalization of Ukraine, when almost 90 per cent of the voters from all regions of the country, including occupied Crimea, cast their ballots for the candidates that stand for a unified Ukraine and its European integration? All participants in the presidential campaign acknowledged that it had been democratic and legitimate.

Mr. Petro Poroshenko received major support in all regions of Ukraine, including the eastern and southern regions, which confirms the strong will of the whole population of Ukraine for unity of the nation. The President-elect secured full legitimacy to fulfil his mandate on behalf of the entire Ukrainian nation.

Among his top priorities is to achieve stabilization and reconciliation of the eastern regions of Ukraine, which suffered from Russian propaganda and illegal activities of Russian insurgents and mercenaries. The President-elect has already announced that he plans to visit the Donbass region immediately after his inauguration, a clear signal to all in eastern Ukraine that their voices will be heard as long as they are peaceful. The 2014 presidential campaign was conducted at a time of social and political tensions, security challenges that Ukraine is facing for the first time in its modern history. Unfortunately, owing to the occupation of the territory of the autonomous republic of Crimea, it was impossible to set up electoral commissions and conduct the presidential election there. At the same time, citizens of Ukraine living in the occupied peninsula were given the opportunity to vote at polling stations in Kherson, which is close to Crimea, or at any other polling station in Ukraine.

The complex security situation in Donetsk and Luhansk significantly undermined the election process in those cities. According to the statement of preliminary findings and conclusions by the special monitoring mission, which can be found on the web page of the Organization for Security and Cooperation in Europe (OSCE), serious problems were found in the Donetsk and Luhansk regions, including intrusions into district electoral commissions and their eviction and closure by armed groups, and intimidation of election officials, which included abductions, death threats, forced entry into private homes, seizure of equipment and election materials, and the shooting of a candidate proxy.

> "These illegal actions constituted an attempt to prevent the election [and] deny citizens the fundamental right to freely participate and elect their chosen representatives."

After the election, Kremlin officials promised to respect the choice of the Ukrainian people. In the light of what is happening now on the Russian-Ukrainian border and in the region, we are taking that with a grain of salt. On 21, 24 and 26 May, dozens of armed people attacked Ukraine's borders from the Russian side. Forty vehicles carrying armed personnel attempted to break through the Ukrainian frontier. We have still not had a reasonable answer from the Russian side to the question of what hundreds of men from the Chechen battalion are doing in Ukraine. They are not concealing their identity; they speak freely with reporters and admit that they have come from Russia to protect interests. What interests are Chechens going to protect in Ukraine? Those of the Greek Orthodox or of Slav ethnicity? We have also raised the question about what hundreds of heavily armed Russian Cossacks are doing in Ukraine, particularly those from the Wolves Centurion, a group with a notorious Second World War past. They are not concealing their identity either; they have been operating in Sloviansk and Kramatorsk, and before that they were in Crimea.

Another question is why most of the leaders of the illegal, self-proclaimed authorities in the Donetsk and Luhansk regions are Russian citizens. Aleksandr Borodai, the self-proclaimed prine minister of the so-called Donetsk People's Republic, is a Russian citizen from Moscow. Igor Strelkov Girkin, a military commander of terrorists in Sloviansk, is a Russian citizen and a Russian military intelligence special forces officer. Igor Bezler, a military commander of a terrorist group based in Horlivka, is also a Russian citizen and a colonel in the Russian army, as he has publicly admitted. Who authorized those Russian citizens to represent the people of Donbass, to speak on their behalf and call on them to sacrifice their lives and kill their compatriots? On election day, 25 May, a pro-Russian insurgent group attacked a polling station in Novoaidar. As a result, one was killed and Ukrainian law enforcement detained a group of 13 people whose leader appeared to be a Russian citizen.

Despite some hints of conciliatory rhetoric on the part of our Russian neighbour, which happens to be one of the permanent members of the Security Council, its aggression against a sovereign United Nations Member State has continued. In the wake of the election, we witnessed another brutal violation of Ukrainian territory by armed insurgent groups from the Russian side. Despite warnings passed on by Ukraine through diplomatic channels regarding a concentration on Russia's border with Ukraine of up to 40 trucks containing armed personnel, the Russian side took no steps to prevent their breakthrough into Ukrainian territory. On 27 May, around 4 a.m., a convoy consisting of several trucks and passenger cars made an attempt to cross the State border. After an exchange of fire with Ukrainian border guard servicemen, part of the Russian motorcade managed to break through and proceeded in the direction of the town of Antratsyt. This happened while Russian border guards did absolutely nothing. Moreover, there is every reason to believe that the armed groups' penetration into Ukrainian territory is organized, financed and encouraged from the Russian side.

Furthermore, the Russian Federation has failed to condemn Russian citizens' participation in mercenary activities in Ukraine and has done nothing to prevent armed groups' illegal penetration into the eastern part of Ukraine, thus conniving in such actions. We are in fact dealing with blatant aggression against Ukraine from the Russian side in the form of exporting instability into the territory of another country. Our law enforcement officers in the eastern regions of Ukraine are currently dealing with skilled, armed mercenaries who are ready to plunder, intimidate, torture and murder Ukrainian citizens. Today, armed pro-Russian groups began to attack peaceful citizens. They fired on a school and a residential area of Sloviansk. We have had no sign of any Russian condemnation of such acts. Instead, Russia has offered its humanitarian assistance to the population of eastern Ukraine, citing alleged appeals from local citizens and organizations. We would like to say to the Russian side that the only thing Russia can do for the people of Ukraine is to stop supporting the illegal military groups.

We appreciate the mediation role the Secretary-General has taken on with his recent statement on the peaceful settlement of the situation in the eastern region of Ukraine. The Ukrainian Government stands for a peaceful solution to the current situation. Peace can be achieved if the Russian side stops pouring professional mercenaries into Ukraine with the aim of destabilizing the situation in eastern Ukraine and stops encouraging separatism. We call on the Security Council and the international community to demand categorically that the Russian Federation cease its practice of provoking instability, withdraw all Russian armed forces, paramilitary organizations and groups, and citizens from Ukraine and fulfil their obligations undertaken under the Geneva agreement on Ukraine.

The President: I now give the floor to the representative of Russia to make a further statement.

Mr. Churkin (Russian Federation) (*spoke in Russian*): You looked at me, Mr. President, and I decided that I would say literally just a couple of words after all. Needless to say, I will not respond to the array of facts or pseudo-facts presented by my Ukrainian colleague, but I want to point out for the umpteenth time that the representative of Ukraine is ignoring the role of his own people. All his claims are directed at Russia, but the situation in eastern Ukraine arose at the very least after the Government overthrow in Kyiv on 22 February. We all know that perfectly well, and so do our Ukrainian colleagues, of course, but they prefer to ignore it, because they do not know what to say to the Ukrainian people. We again heard about the idea of Ukrainian unity. We have already expressed our concern in our statement, which I will not reiterate. However, blaming Russia will not resolve the issues of the Ukrainian people.

The President: I give the floor to the representative of Ukraine for a further statement.

Mr. Sergeyev (Ukraine) (*spoke in Russian*): As the Council knows, the Ukrainians are very patient people. We always find a way to agree. But in order to agree, there must be stability. In order to achieve stability, there cannot be a fuelling of instability. I asked many times what hundreds of armed Chechens were doing in Ukraine. What was their purpose? Had they come to to protect Ukrainian orthodoxy, or Slav ethnicity? I asked why hundreds of Cossacks in Crimea had come to destabilize the situation. That does not help us to resolve the issue but destabilizes the situation. Moreover, they are not hiding that or concealing who they are. I wondered what the Wolves Centurion, which was established in the 1950s and then formed the Cossack corpus of the Nazi Special Service, had come to do. To fight the fascists — those who themselves support Nazism? It is not very clear. It is unclear to us all what may happen if suddenly citizens of another country

appear in our country. A group of 200 people gathered in the streets, calling itself a people's republic and saying that they would lead it. That is what happened in Donetsk. A Russian citizen called himself Prime Minister. What does that help? Does it foster dialogue? Clearly not.

So today, when our sides have at least exchanged some views and if we see that there may be a solution as a result of a bilateral dialogue, we need to find a way to speak to those people. Why should Russia not also speak to them? Why does Russia not explain to them what it is doing in their country? It could be called mercenary activities rather than assistance. That is fuelling the flames of separatism, and it has continued for a long time. It is true that the Government did not do anything for 20 years to resolve the difficulties of the region. It is true that it is a depressed region, where there are no jobs. It is true that a State policy should address that. That has been said. However, it is necessary to assist and not seek to destabilize the situation.

The President: I give the floor to the representative of Russian Federation for a further statement.

Mr. Churkin (Russian Federation) (*spoke in Russian*): I think that the representative of Ukraine making ironic comments about the Chechens is pointless. I do not understand. He could talk to them. Perhaps that could lead to a diaologue with the people in the southeast of Ukraine. But I will not go further into that issue.

I will say that I liked the fact that at the very end of his remarks, he nevertheless gave an objective assessment of what is happening in southeast Ukraine. He talked about the poverty of that region. That is something that we should discuss. But talking about artillery strikes and bombardments will not resolve the poverty.

I do not know whether the Ukrainian television showed it or not, but when the the people of Donetsk and Luhansk turned out for the referendum on 11 May it was not just a handful of people. It is a region of, I believe, 7 million residents in Donetsk and Luhansk together. Absolutely nothing was done to engage in a respectful dialogue with them. I do not know. If there have been some events that have drawn attention to the region, I hope that that will lead to constructive actions. But we have not seen that. Stop the military operations. Then perhaps we would help to establish a dialogue. That is what we have always said. Let us move forward and start a dialogue. Russia is ready to assist in establishing a dialogue.

Russia came to Geneva and we drew up an agreement. But what did we see the Ukrainian authorities in Kyiv do? We saw them undertake punitive operations in violation of that agreement. So what happened to dialogue? We have always been ready to assist in setting up a dialogue and stand ready to do so now. So we hope that the military operation will stop as soon as possible, because how can we help while it continues? How can we assist in establishing dialogue in the southeastern regions if there is killing there? It is very difficult for us to talk about dialogue.

As is known, in our country there are many ties with Ukraine, and 3 million of its people are dual citizens of Ukraine and Russia. Whether they have Russian passport and Moscow residency is not significant because they may have 30 relatives living in Ukraine, and so on. So that is what I mean. It is very difficult to say who is Russian, who is Ukrainian and who is half Russian and half Ukrainian.

We all know that. Let us try to end on a constructive note. We agree that in that region there is a very difficult socioeconomic situation.

The Ukrainian representative also mentioned Crimea. As he asked a question, I, too, will ask one. That is, why was the water shut off in Crimea? Why was the water supply in Crimea stopped? The economic situation is still bad 25 years after Ukrainian independence, and the water is shut off?

It is clear that there is a poor socioeconomic situation in the east of the country. Let us together try to solve the issue. Let us cooperate. Can Russia and the Ukraine cooperate economically? Does the representative recall those serious proposals that we made? They were ongoing right up to time of the coup d'état that took place on 22 February. So Ukraine turned its back on all that. Now Ukraine talks of closing the border with Russia and leaving the Commonwealth of Independent States. It can clearly do that. There would not be free trade with us. But as for the issues of bilateral relations and cooperation in our region, what we now see is a military operation near the Russian border fanning the flames of anti-Russian rhetoric or policy. That is not constructive.

I hope that Ukraine carefully reads the statements made by our Government. There are very constructive. I hope that the representative has listened closely to

our statement today, which, in addition to its possible criticism also contains a number of constructive ideas as part of our policy on Ukraine.

So we would like to turn the page as soon as possible, but much depends on Ukraine. First, it must stop the military chaos in the east of the country.

I have already said this, but it was of course very difficult to listen to everything. The representative of Lithuania said that an Italian journalist had been killed but not by whom. The whole way in which when the Ukrainian armed forces do something, it is not mentioned. The representative of Luxembourg, who always talks a great deal about the humanitarian matters, spoke little about that.

I recall the meeting on Crimea, when Ukrainian soldiers were killed. Some people thought they died as a result of Russian bullets. Then when the pro-Russian forces made it known that they were sniper bullets, the Security Council immediately expressed its condolences. Now dozens of people, including residents, are being killed in the east of the country. Some Council members say that the Kyiv authorities are showing exceptional restraint. That is very surprising.

Why are we gathering today? If it is for the Security Council to undertake its political function, let us demonstrate how to put an end to the violence as quickly as possible. I perhaps heard another useful point from my Ukrainian colleague when he welcomed the mediation efforts of the Secretary-General. The Secretary-General could perhaps immediately stop the violence because the Ukrainian representative will soon welcome his role in ending the violence in the east of Ukraine. Let us do that in order to put an end to it.

The President: I give the floor to the representative of Ukraine, who has asked to make a further statement.

Mr. Sergeyev (Ukraine) (*spoke in Russian*): I have listened to the statement made by the representative of the Russian Federation, and I believe that the easiest way for his side to move forward would be as follows. He has told us what we should do, so I should like to tell him what Russia should do.

The Russian Government, the Minister for Foreign Affairs or whoever makes the decisions should appeal to their people, and first and foremost to the Chechen leadership. Instead of conducting manoeuvres during the presidential elections in Donetsk, those hundreds of Chechens should immediately leave Ukraine. That is the first requirement.

Secondly, with respect to the hundreds of Cossacks in Ukraine, as I recall the President of the Russian Federation took a decision regarding the presence of the Russian army. The presence of those Cossacks is therefore subject to a dual interpretation. It would thus be only right for Russia to call on them, too, to leave my country. Such an appeal could also be directed to Russian citizens who, for lack of direction, sign on as mercenaries. It would also be right to warn them against acting on their impulses.

With respect to Crimea, we have been in contact with the occupying Power concerning the issue of water. This is an economic problem, but the most pressing issue in Crimea has yet to be resolved. Crimea is Ukrainian territory, and we must resolve the issue of its restoration to Ukraine. That is our principled position. No one is rejecting Crimea. That is an issue we could consider together in negotiations.

The President: The representative of the Russian Federation has asked to make a final statement.

Mr. Churkin (Russian Federation) (*spoke in Russian*): I am not certain how the representative of Ukraine wishes to engage in dialogue with us, but we believe that negotiations should address the broader agenda of our relations. They cannot be dictated by Kyiv on one, two, three or four specific points; they should be based on a broad agenda concerning our relations. I believe that there are good prospects for interraction between our two countries, so we should seek to develop them constructively and to find a way out of this difficult juncture in our relations and in the history of Ukraine as soon as possible.

Russia did not cause the events in Ukraine, but we remain ready to help Ukraine find a solution if it can make the appropriate decisions. A very interesting and positive opportunity is available to Ukraine now that it has elected a President, who will shortly assume his mandate. He must take the right decisions, rather than measures that would only perpetuate the current stalemate.

The President: There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.05 p.m.

United Nations S/PV.7186

Security Council

Sixty-ninth year

Provisional

7186th meeting
Thursday, 29 May 2014, 10 a.m.
New York

President:	Mr. Oh Joon	(Republic of Korea)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Chad	Mr. Cherif
	Chile	Mr. Barros Melet
	China	Mr. Wang Min
	France	Mr. Lamek
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Ms. Murmokaitė
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Russian Federation	Mr. Pankin
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. Delaurentis

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on the situation in Abyei (S/2014/336)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

14-41302 (E)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on the situation in Abyei (S/2014/336)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of South Sudan and the Sudan to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2014/375, which contains the text of a draft resolution submitted by Chad, France, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of Council members to document S/2014/336, which contains the report of the Secretary-General on the situation in Abyei.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Argentina, Australia, Chad, Chile, China, France, Jordan, Lithuania, Luxembourg, Nigeria, Republic of Korea, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2156 (2014).

I now give the floor to the representative of the Sudan.

Mr. Hassan (Sudan) (*spoke in Arabic*): At the outset, I would like to congratulate you, Sir, on your country's assumption of the presidency of the Council this month, during which the Council has considered the Secretary-General's periodic report on Abyei (S/2014/336) following the strategic review of the mandate of United Nations Interim Security Force for Abyei (UNISFA). This month the Council also extended UNISFA's mandate, through the resolution just adopted (resolution 2156 (2014)).

At this time, I would like to express our gratitude to Ethiopia, a neighbouring and brotherly nation, for its efforts to ensure peace and stability in the Sudan, in particular in the Abyei region, through UNISFA.

The resolution just adopted highlights in a number of paragraphs the importance of implementing the agreements signed between the Sudan and South Sudan on the issue of Abyei. Indeed, a definitive settlement of the situation will require negotiation and dialogue between the two parties. We therefore support the paragraphs that refer to the implementation of the agreements, specifically the Agreement on temporary arrangements for the administration and security of the Abyei Area of 20 June 2011, the Agreement on Border Security and Joint Political and Security Mechanism of 29 June 2011, the Agreement of 30 July 2011 on Border Monitoring Support Mission, and the agreements of 27 September 2012 on cooperation and security arrangements. There is no doubt that all of those agreements are part of a whole, a general agreement, which should be implemented fully without discrimination. Those agreements were signed as a whole by the two parties on 12 March 2013, have been conveyed to the Security Council.

We would like to reiterate our commitment to implementing those agreements. At the same time, although this hardly needs repeating, we reiterate that the shortest path to a definitive solution of the Abyei region's problems is the implementation of the agreements on establishing temporary arrangements for administration and security, in other words legislative, administrative and police services for Abyei in order to fill any administrative or security gaps and create an atmosphere conducive to peaceful co-existence and stability between the different factions, namely the Misseriya and Ngok Dinka tribes. A definitive settlement to achieve peace, security and stability in the region will follow.

The resolution just adopted indeed reiterates that there is no other path but dialogue to ensure a definitive settlement of the dispute. Moreover, the resolution warns against taking any unilateral measures. Indeed, we are committed to not taking such measures. It confirms the concerns expressed by the Peace and Security Council of the African Union about the Ngok Dinka tribe's actions with regard to a unilateral referendum.

We would like to convey our reservations with regard to the section of the resolution that was deleted and welcome the resolution's rejection of all unilateral measures. In that context, we recall that the Sudanese army was withdrawn from the Abyei region in implementation of the aforementioned agreements and the African Union road map, which the Council supported in resolution 2046 (2012). We have spoken in the Council on that subject and reiterated our commitment to the agreements between the two parties on security measures, including the creation of a secure demilitarized border zone and the implementation of the Joint Border Verification and Monitoring Mechanism. The reports of the Secretary-General have confirmed our commitment and our respect for the implementation of those measures.

The Council knows that any new proposal that went beyond the agreements already signed and sought to impose hasty solutions would have disastrous results for the situation in Abyei and would only complicate the situation there. We have therefore continually affirmed and continue to affirm our commitment to implementing the agreements signed with our brothers in South Sudan.

Over the next four months, which is the period of the extension of UNISFA's mandate, we hope to make progress on establishing security and administrative mechanisms, and we hope that our brothers to the south will do likewise. In that regard, I would like to thank the Council and recall that on two consecutive occasions the Council has recognized the wisdom with which the Sudan, and President Al-Bashir in particular, has handled the situation and the developments in South Sudan. We are very concerned with restoring stability to that neighbouring country, as the situation there has an impact on us and its people are, ultimately, our brothers and sisters. Even before the referendum, we were also fully aware that the issue of South Sudan, even if it became an independent State — a development that we fully welcomed — would not be going anywhere. We would always be neighbours and brothers.

We have therefore always been very committed to fully implementing all the agreements, in particular the agreements on Abyei, and to establishing all the mechanisms necessary for an environment conducive to a comprehensive settlement. We hope that our brothers and sisters in the south will continue to fulfil their obligations under the agreements so that the four months do not come to an end before we are able to establish those mechanisms. That will allow us to make progress on the path laid out by the aforementioned agreements.

The President: I now give the floor to the representative of South Sudan.

Mr. Deng (South Sudan): Once again, Sir, I appreciate the opportunity to address the Security Council for the third time during the Republic of Korea's presidency. While it is an honour and a pleasure for me to appear again before the Council, I also realize that it is sadly due to the multiplicity of crises facing our country and region. My focus today will be on the situation in Abyei and how I believe we can move forward beyond the current impasse.

Let me begin by welcoming the decision of the Security Council to extend the mandate of the United Nations Interim Security Force for Abyei (UNISFA) for four months. While we believe that that is a very short period in which to meet the protection challenges in the area, it provides an opportunity to develop more durable solutions to the Abyei problem. We must also express our profound appreciation and gratitude to the Government of the Federal Democratic Republic of Ethiopia and to the Force Commander and his courageous forces for their commitment to the protection of our people. As I have often said, the best thing going for the Abyei Area and its Misseriya neighbours is the presence of UNISFA there.

Permit me to express my appreciation for the very positive tone my colleague from the Sudan set in his statement about the situation — a tone that, if in fact acted upon in the same spirit and good will, could lead us forwards. The reality, however, is that we have had difficulty moving forward in finding a final solution to the situation. That is why, in my note entitled "The Interim Stabilization of the Crisis Situation in Abyei", which the Council included in its consideration of the resolution on UNISFA (resolution 2156 (2014)), I argue that the situation has now reached a point where alternative ideas are urgently needed to overcome the impasse on Abyei and to prevent the crisis from escalating into yet another catastrophic explosion in the region.

In my opinion, the highest priority now must be to stabilize the situation in Abyei by establishing an effective administration and ensuring that the Ngok Dinka return in safety and with dignity to their original areas of residence, resettle and lead a secure

and productive life without the threat of violent attacks from their neighbours. Equally important is addressing the needs of the Misseriya, both in their own areas of normal residence and in the transitional zone of their dry season migration in search of water and pasture in the Abyei area. That requires urgent measures to promote Ngok Dinka-Misseriya dialogue towards durable peace and reconciliation.

The tragedy of the Abyei situation is that recent hostilities have overshadowed at least a century of well-documented peaceful coexistence and cooperation between the Ngok Dinka and the Misseriya. That exceptional cooperation was widely recognized, including by the British colonial administrators, as a positive model in an environment of pervasive interracial, inter-ethnic and interreligious violence between communities along the borders of the then North and South Sudan. It is indeed still referred to as a legacy worth restoring and emulating.

The basis for those cordial ties was the recognition and respect that the two communities — and especially their respective leaders — had for each other. Particularly important was the protection the Ngok Dinka leadership afforded to the Misseriya and other Southern Sudanese during their seasonal migration into the Abyei area. In that Respect, it should be noted that South Sudanese herders, both Dinka and Nuer, from several provinces, which are now states, escape floods during the rainy season by moving to the drier areas in Ngok Dinka territory. That is an important part of what makes Abyei a genuine crossroads between the Sudan and South Sudan.

We recognize that the international community did not approve of the Abyei community's referendum and does not recognize the overwhelming vote to join South Sudan. It is, however, widely acknowledged that the referendum was well organized and efficiently and transparently conducted, and that it reflects the genuine aspirations of the Ngok Dinka. Yet without the cooperation of the Sudan and the support of regional and international organizations, expressions of such aspirations have no practical significance.

Nevertheless, it is worth recalling that the Ngok Dinka were acting in the spirit of the proposal of the African Union High-level Implementation Panel, under the chairmanship of former President Mbeki of South Africa, that the referendum be held in October, which was the month the community's referendum was indeed conducted. Furthermore, that proposal, which South Sudan accepted and the Sudan rejected, was endorsed by the African Union (AU) and its Peace and Security Council as the best way forward in addressing the challenges posed by the Abyei problem.

In October, 2013, the African Union Peace and Security Council urged the Security Council to extend support to the AU proposal. The Council has not been able to respond positively to that request. In any case, it is realistic to recognize that only a negotiated settlement to which both the Sudan and South Sudan will be committed in good faith will bring genuine peace, security and stability to the area.

President Salva Kiir has been striving to strike a balance between supporting the aspirations of the Ngok Dinka and winning the cooperation of the Sudan's President, Omer Hassan Al-Bashir. So far, the two leaders have not been able to agree on Abyei. Meanwhile, urgent measures are needed to stabilize the security situation for both the Ngok Dinka and the Misseriya.

To stabilize the situation in Abyei during the interim period as the leaders of South Sudan and the Sudan negotiate the final status of Abyei, it is my opinion that the Ngok Dinka need and deserve to restore their erstwhile autonomous administrative status — which had been combined with cordial and cooperative relations with the Misseriya — this time under internationally guaranteed security arrangements and in cooperation with the Governments of South Sudan and the Sudan. We must remember that the Misseriya, too, have their own autonomous administration within the Sudan's national framework. Such mutually respectful arrangements would allow the area to stabilize, develop socially and economically and rise to the challenge of its postulated role as a bridge between the two Sudans. I should reiterate that the details of my proposals for the stabilization of Abyei are in the note that I have referred to earlier, which is contained in the annex to document S/2014/356.

The objective of my remarks is not to offer solutions for the resolution of the final status of Abyei or to undermine the proposals under consideration, but rather to suggest ideas for normalizing the situation in order to promote peace, security and stability for the local population — both the Ngok Dinka and the Misseriya. I also believe that this would contribute to creating a climate conducive to a more constructive and cooperative negotiation of the final status of Abyei, by the leaders of South Sudan and the Sudan. I genuinely

believe that it is a win-win proposal, in sharp contrast to the current situation, where both sides are losing.

I would like to end with the metaphor that a Ngok Dinka elder told me and which I have often cited. He said that Abyei is like the eye, which is so small but sees so much. I now reverse that metaphor by saying that although Abyei is so small, the eyes of the world are focused on its security and general welfare. I think that is a major departure from its previous suffering in isolation. I hope that the positive momentum can be sustained and that Abyei will not fall back into the abyss of past tragedies. The realization of that hope is primarily in the hands of the Security Council and its African partners.

The President: There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.35 a.m.

United Nations S/PV.7187

Security Council

Sixty-ninth year

Provisional

7187th meeting
Thursday, 29 May 2014, 10.35 a.m.
New York

President:	Mr. Oh Joon	(Republic of Korea)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Chad	Mr. Cherif
	Chile	Mr. Barros Melet
	China	Mr. Wang Min
	France	Mr. Lamek
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Ms. Murmokaitė
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Russian Federation	Mr. Pankin
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. DeLaurentis

Agenda

The situation in Guinea-Bissau

Report of the Secretary-General on the restoration of constitutional order in Guinea-Bissau (S/2014/332)

Report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) (S/2014/333)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

14-41308 (E)

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The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Guinea-Bissau

Report of the Secretary-General on the restoration of constitutional order in Guinea-Bissau (S/2014/332)

Report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) (S/2014/333)

The President: The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2014/374, which contains the text of a draft resolution submitted by Chad, Nigeria and Rwanda.

I wish to draw the attention of Council members to document S/2014/332, which contains the report of the Secretary-General on the restoration of constitutional order in Guinea-Bissau.

I wish to also draw the attention of Council members to document S/2014/333, which contains the report of the Secretary-General on developments in Guinea-Bissau and the activities of the United Nations Integrated Peacebuilding Office in that country.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Argentina, Australia, Chad, Chile, China, France, Jordan, Lithuania, Luxembourg, Nigeria, Republic of Korea, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2157 (2014).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.40 a.m.

United Nations S/PV.7188

Security Council

Sixty-ninth year

Provisional

7188th meeting
Thursday, 29 May 2014, 10.40 a.m.
New York

President:	Mr. Oh Joon	(Republic of Korea)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Chad	Mr. Cherif
	Chile	Mr. Barros Melet
	China	Mr. Wang Min
	France	Mr. Lamek
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Ms. Murmokaitė
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Russian Federation	Mr. Pankin
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. DeLaurentis

Agenda

The situation in Somalia

Report of the Secretary-General on Somalia (S/2014/330)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

14-41314 (E)

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The meeting was called to order at 10.40 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

Report of the Secretary-General on Somalia (S/2014/330)

The President: The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2014/377, which contains the text of a draft resolution submitted by Australia, Chad, France, Lithuania, Luxembourg, Nigeria, the Republic of Korea, Rwanda, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I wish to draw the attention of Council members to document S/2014/330, which contains the report of the Secretary-General on Somalia.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Argentina, Australia, Chad, Chile, China, France, Jordan, Lithuania, Luxembourg, Nigeria, Republic of Korea, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2158 (2014).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.45 a.m.

United Nations S/PV.7189

Security Council

Distr.: General
29 May 2014

Original: English

Official communiqué of the 7189th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Thursday, 29 May 2014, at 3 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"At its 7189th meeting, held in private on 29 May 2014, the Security Council considered the item entitled 'Implementation of the note by the President of the Security Council (S/2010/507).'

"The President invited the representatives of Algeria, Armenia, Azerbaijan, Belgium, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Colombia, Cuba, Denmark, Egypt, Estonia, Finland, Germany, Greece, Guatemala, Hungary, Indonesia, the Islamic Republic of Iran, Ireland, Japan, Kazakhstan, Latvia, Lebanon, Liechtenstein, Malaysia, Malta, Mexico, Morocco, Myanmar, Namibia, the Netherlands, New Zealand, Norway, Pakistan, Peru, the Philippines, Portugal, Romania, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, the Syrian Arab Republic, Tajikistan, The former Yugoslav Republic of Macedonia, Togo, Turkey, Turkmenistan and Ukraine to participate in the meeting in accordance with rule 37 of the Council's provisional rules of procedure.

"The President invited the representative of the Delegation of the European Union to the United Nations to participate in the meeting in accordance with rule 39 of the Council's provisional rules of procedure.

"In accordance with the provisional rules of procedure and the previous practice in this regard, the President invited the representative of the Observer State of the Holy See to the United Nations to participate in this meeting.

"The members of the Council had an exchange of views."

14-54273 (E) 300514

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United Nations S/PV.7190

Security Council

Sixty-ninth year

Provisional

7190th meeting

Thursday, 29 May 2014, 4.55 p.m.

New York

President:	Mr. Oh Joon	(Republic of Korea)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Chad	Mrs. Alingue
	Chile	Mr. Cabezas
	China	Mr. Zhao Yong
	France	Mr. Lamek
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Ms. Murmokaitė
	Luxembourg	Mr. Maes
	Nigeria	Mr. Laro
	Russian Federation	Mr. Iliichev
	Rwanda	Mr. Manzi
	United Kingdom of Great Britain and Northern Ireland	Mr. Wilson
	United States of America	Mr. DeLaurentis

Agenda

The situation in the Middle East

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

14-41461 (E)

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The meeting was called to order at 4.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Lebanon to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

The Council has before it the text of a statement by the President on behalf of the Council on the subject of today's meeting. I thank the Council members for their valuable contributions to this statement.

In accordance with the understanding reached among the members of the Council, I shall take it that the members of the Security Council agree to the statement, which will be issued as a document of the Security Council under the symbol S/PRST/2014/10.

As this is, I hope, the last Council meeting over which I shall preside, I should like to thank Council members for their constructive contributions to today's review of the Council's work, as well as for their very kind words addressed to me and my delegation. My special thanks also go to all the United Nations Members represented here today.

As this is the last formal meeting of the Republic of Korea's presidency of the Security Council for the month of May, I take this opportunity to express my appreciation to all Council members for their commitment to advancing the work of the Council and for their cooperation with the presidency. I am also grateful to the Secretariat staff for their untiring support in facilitating our work. My special thanks go to the support staff of translators, interpreters and security personnel.

We believe that the work of the Council is measured not merely by the number of briefings and meetings convened, but rather by the tangible results of our collective action for peace and security. There will always be differences within the Council, but I am sure that it is our shared commitment that drives the Council and holds it together. Now, as my delegation passes the baton, I wish every success to Ambassador Vitaly Churkin of the Russian Federation and his delegation as they assume the presidency for the month of June.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5 p.m.

United Nations S/PV.7191

Security Council

Sixty-ninth year

Provisional

7191st meeting
Wednesday, 4 June 2014, 3 p.m.
New York

President:	Mr. Churkin	(Russian Federation)
Members:	Argentina	Mrs. Perceval
	Australia	Ms. King
	Chad	Mr. Mangaral
	Chile	Ms. Sapag Muñoz de la Peña
	China	Mr. Zhao Yong
	France	Mr. Lamek
	Jordan	Mr. Omaish
	Lithuania	Ms. Murmokaitė
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Republic of Korea	Mr. Oh Joon
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. DeLaurentis

Agenda

The situation in Somalia

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14-41902 (E)

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The meeting was called to order at 3.05 p.m.

Expression of thanks to the outgoing President

The President (*spoke in Russian*): As this is the first meeting of the Security Council in the month of June 2014, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Oh Joon, Permanent Representative of the Republic of Korea, for his service as President of the Council during the month of May. I am sure that I speak on behalf of all members of the Council in expressing my sincere thanks to Ambassador Oh Joon and his team for the great diplomatic skill with which they conducted the work of the Council last month.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

The President (*spoke in Russian*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Somalia to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Valerie Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Ms. Valerie Amos.

Ms. Amos: I thank you, Mr. President, for this opportunity to brief the Council on the humanitarian situation in Somalia.

Since the establishment of the Federal Government of Somalia in 2012, optimism over the expected progress in State- and peacebuilding and political and security improvements have not translated into an improvement in the humanitarian situation. The adoption of resolution 2124 (2013), in support of the joint the African Union Mission in Somalia (AMISOM) and Somali National Army military offensive, which resulted in military gains, has not led to a substantial improvement in the daily lives of the people of Somalia.

Development indicators in Somalia remain among the worst in the world. One in seven children dies before his or her first birthday; one in eighteen women dies in childbirth, and only one in three people has access to safe drinking water. Global acute malnutrition levels among internally displaced persons are above global emergency levels of 15 per cent. Approximately 857,000 people in Somalia require urgent and life-saving assistance. An additional 2 million people are on the margin of food insecurity and require continued livelihoods support.

Decades of conflict have displaced over one million people inside Somalia. They are particularly vulnerable to food insecurity and susceptible to human rights violations, such as rape. An additional 1 million Somalis continue to seek refuge and protection in neighbouring countries. On Monday, the Food and Agriculture Organization of the United Nations issued another alert that a below-average harvest is expected in July and August, partly due to two poor rainy seasons.

The situation is further compounded by the ongoing military offensive and the new Al-Shabaab tactic of blocking major supply routes and encircling newly recovered areas. Al-Shabaab's tactic of encirclement has prevented commercial activity and humanitarian assistance from reaching newly recovered areas. Access to basic commodities is limited and food prices have increased. For instance, the average price of basic items in Waajid, Xuddur and Maxaas in the Bay, Bakool and Hiraan regions have more than doubled. More than 70,000 people have been temporarily displaced as a result of the conflict, significantly disrupting the planting season.

We have carried out assessments in four of the newly recovered towns, as well as in Afgooye and Baidoa. Tens of thousands of people have sought refuge as a result of the offensive in those two locations. The assessments confirm that people have limited access to food, water, primary health care and nutrition supplies. Insecurity has prevented us from assessing the remaining towns.

Humanitarian partners are steadfast in their commitment to assisting the people of Somalia. Funding received so far this year helped us reach over 1 million people with food and livelihoods assistance and 97,000 children were treated for malnutrition. Water and sanitation interventions supported 400,000 people, and 500,000 people benefited from basic health-care services. A massive and well-coordinated vaccination campaign targeting 4 million people in 2013 managed to contain the polio outbreak of May that

year. Unfortunately, one case was confirmed today in Puntland.

Humanitarian workers in Somalia continue to face tremendous challenges in carrying out their work. Large parts of southern and central Somalia, mainly rural areas and the outskirts of the main towns, remain under the control or influence of Al-Shabaab. Al-Shabaab's ability to disrupt and infiltrate areas under the control of the Somali Federal Government continues to hamper aid delivery, and in some instances has forced agencies to resort to costly air operations. Al-Shabaab has carried out bold and targeted attacks on Government officials, international organizations and humanitarian workers. That is of grave concern, and we are working to enhance measures to mitigate threats against aid workers.

Unpredictable bureaucratic impediments imposed by local and regional administrations, including arbitrary taxation, the payment of registration fees and the need for aid agencies to seek approval for the recruitment of staff, the renting of premises and the choice of national partners often inhibit the ability of agencies to access people in need.

Despite the commitment of the international community to averting another humanitarian disaster in Somalia, financial support is especially low this year. Only 19 per cent of the $933-million humanitarian appeal is funded. Some donors have announced a decrease of their contribution this year, and we expect this will continue into 2015. Remittances, another lifeline for millions of Somalis, are at risk as banks continue to threaten to close Somali money transfer organizations, which are seen as being at high risk for illegal activities.

This limited funding has forced the humanitarian community to cut back on all but the most basic of interventions. There is a great risk that the gains made in the past years will be reversed. For instance, if funding is not secured immediately, UNICEF may suspend primary health-care activities that provide medical services to more than 3 million people. UNICEF has also warned that 50,000 children under the age of five could die from severe malnutrition if funding is not received. Water and sanitation supplies to some settlements for internally displaced persons in Mogadishu have ceased because of lack of funding, and we are receiving reports of increased acute watery diarrhea in these areas.

Somalia remains one of the most complex environments in which to deliver assistance. However, to the extent possible, humanitarian partners are managing rather than avoiding risk in order to be able to continue to deliver critical life-saving programmes. Assistance continues to be delivered through local partners in many parts of Somalia where agencies are not able to operate directly. In limited instances, there have been cases of diversion. However, thanks to the United Nations Risk Management Unit and other monitoring systems, we are now better able to detect risks, evaluate the capacity of our local partners and track programmes with stronger reporting and auditing tools.

Urgent action must be taken to prevent the country from slipping back into a major humanitarian crisis. Early warnings must trigger early action so that Somalia moves towards and not away from food security, that it remains polio-free, and that the resilience of the people is reinforced. We are asking for an immediate injection of $60 million for the next three months to address urgent food, nutrition and health-care needs.

I also ask Security Council members to continue hosting Somali asylum seekers, refugees and migrants, and to ensure their protection and safety; to ensure that refugee returns are voluntary and conducted in a safe and dignified manner; to help us secure additional funding; to work with banks and Somali money transfer operators to put in place a transitional mechanism until a proper financial system is established; and to support ongoing humanitarian initiatives that contribute to predictable, safe and sustained access to affected people.

We need to work together to manage and share the risks involved in continued humanitarian operations. Failure to address humanitarian needs today will not only undermine the peace and State-building gains of the past two years, but will also lead to further crises. We do not want to see a repeat of 2011, when parts of Somalia faced a famine. Somalia must remain a priority for us all.

The President (*spoke in Russian*): I thank Ms. Amos for her briefing.

I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.15 p.m.

United Nations S/PV.7192

Security Council

Sixty-ninth year

Provisional

7192nd meeting
Thursday, 5 June 2014, 10 a.m.
New York

President:	Mr. Churkin/Mr. Zagaynov	(Russian Federation)
Members:	Argentina	Ms. Ruiz Cerutti
	Australia	Ms. King
	Chad	Mr. Ali Adoum
	Chile	Mr. Barros Melet
	China	Mr. Li Yongsheng
	France	Mr. Lamek
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Ms. Murmokaitė
	Luxembourg	Mr. Maes
	Nigeria	Mr. Laro
	Republic of Korea	Mr. Oh Joon
	Rwanda	Mr. Gasana
	United Kingdom of Great Britain and Northern Ireland	Mr. McKell
	United States of America	Mr. DeLaurentis

Agenda

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

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14-42102 (E)

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Letter dated 15 May 2014 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (S/2014/343)

Letter dated 16 May 2014 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (S/2014/350)

Letter dated 16 May 2014 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council (S/2014/351)

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

Letter dated 15 May 2014 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (S/2014/343)

Letter dated 16 May 2014 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council (S/2014/350)

Letter dated 16 May 2014 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council (S/2014/351)

The President (*spoke in Russian*): Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of Bosnia and Herzegovina, Croatia and Serbia to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Judge Theodor Meron, President of the International Tribunal for the Former Yugoslavia and President of the International Residual Mechanism for Criminal Tribunals; Judge Vagn Joensen, President of the International Criminal Tribunal for Rwanda; Mr. Serge Brammertz, Prosecutor of the International Criminal Tribunal for the Former Yugoslavia; and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda and Prosecutor of the International Residual Mechanism for Criminal Tribunals.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to documents S/2014/343 and S/2014/351, respectively containing the report of the International Criminal Tribunal for Rwanda and the report of the International Tribunal for the Former Yugoslavia.

I wish to draw the attention of members to documents S/2014/350, containing a letter dated 16 May 2014 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council.

I now give the floor to Judge Meron.

Judge Meron: It is my privilege to appear before the Security Council once again in two capacities, as President of the International Tribunal for the Former Yugoslavia (ICTY) and as President of the International Residual Mechanism for Criminal Tribunals. During my remarks today, I shall endeavour not to repeat the content of the written reports for those two institutions, but will instead highlight a few of the key issues contained therein.

Before doing so, however, I would like to congratulate Ambassador Vitaly Churkin of the Russian Federation on his country's assumption of the presidency of the Security Council. The Russian Federation, as a permanent member of the Council, has a continuing and critical role to play in relation to matters of international criminal justice, and I wish to extend to the Russian Federation my best wishes for its presidency.

I would like to underscore my appreciation for the work and dedication of the members of the Informal Working Group on International Tribunals, and to warmly welcome Chile and Ambassador Cristián Barros Melet to their new leadership role in the Working Group. Finally, I wish to recognize the continuing support and assistance provided to the ICTY and the Mechanism by the Office of the Legal Counsel and by the Legal Counsel himself, and to extend my deepest gratitude to all concerned.

Since its establishment by the Council, the ICTY has been the subject of diverse and ambitious expectations. For some observers, the Tribunal is the means by which victims and witnesses of horrific crimes have had

and continue to have an opportunity to be heard and to obtain a sense of justice. For others, the Tribunal's judgements, as well as the extraordinary quantum of evidence presented in its proceedings more generally, provide an avenue for understanding the tragic events that devastated families and communities across the region of the former Yugoslavia in the 1990s. Some observers and commentators also believe that bringing peace and reconciliation to the affected region is a core part of the Tribunal's mission.

I need not tell the members of the Council that these different hopes and ideals for international justice can often be in tension, if not outright conflict, with each other. Nor need I tell members how the varying visions that shape observers' perceptions of the roles of international criminal courts invariably impact the understanding of the courts' work and of their achievements and failings.

Whatever different perceptions and expectations there may be about what it is that courts like the ICTY should achieve, however, I believe that all will agree that as a court, our mandate is to apply the law to the facts in a neutral manner, thereby ensuring the fair trials and appeals of those who have been accused of individual criminal responsibility for atrocities. And I believe that all may also agree that the establishment of the ICTY more than two decades ago demonstrated a profound commitment on the part of the Council, acting on behalf of the international community, to ensuring accountability for widespread and flagrant violations of international humanitarian law through procedures and proceedings that reflect an abiding respect for fairness and due process of law — that reflect, in essence, a commitment to the rule of law.

The significance of this expression of commitment should not be underestimated. It is a devastating truth that the mere existence of the law cannot stop all conflict or all brutality. Murder and rape, theft and destruction — these acts have occurred since time immemorial and, tragically, they continue to this day. But it is through the law, I would suggest, and through our respect for the rule of law that our shared values are expressed and our moral imperatives articulated. It is through the law and respect for the rule of law that we affirm our own expectations about the kind of world in which we wish to live.

More than 20 years ago, the Council unanimously affirmed the importance of ensuring accountability and respect for the rule of law when it established the ICTY. In 2010, the Council renewed its commitment to these same principles by creating the Mechanism. In the six months since I last appeared before the Council (see S/PV.7073), the principals and staff of the Mechanism have continued to carry out the mandate entrusted to it with both care and commitment. As described in greater detail in my written report (S/2014/351, annex I), the Mechanism is providing vital services to vulnerable victims and witnesses, supervising the enforcement of sentences across two continents, and addressing a wide range of requests for assistance from national jurisdictions, among other tasks.

During the reporting period, the Mechanism has handled a significant amount and range of judicial work, involving everything from allegations of false testimony to requests for review and the variation of witness protection measures. The hearing in the Mechanism's first appeal from judgement will be conducted soon, and a judgement in the case is expected before the end of the year.

The Mechanism's archives section also continues to work closely with the staff of the International Criminal Tribunal for Rwanda (ICTR) and the ICTY on the preparation and transfer of records to the custody of the Mechanism, and progress is being made in relation to the construction of the Mechanism's permanent premises in Arusha. My colleagues and I are most grateful to the Government of the United Republic of Tanzania for its ongoing, excellent cooperation in relation to the preparations for these new premises.

The dedication and talents of the Mechanism's excellent staff, hailing from more than 45 different States, have played an invaluable role in making all of this possible. However, I would be remiss if I did not note with gratitude the tremendous support that the Mechanism receives from valued colleagues at the ICTR and the ICTY. As those two Tribunals complete their own work and downsize their operations, the Mechanism is relying less and less on their support. But even as this occurs, the principals and staff of the Mechanism will continue to work closely with their counterparts at the ICTR and the ICTY to ensure a smooth transition of remaining functions and services to the Mechanism.

I would be likewise remiss if I did not stress how vital the continued support and cooperation of Member States are to the fulfilment of the Mechanism's mandate. The Mechanism relies on States to enforce sentences pronounced by the ICTR, the ICTY and the Mechanism

itself, and it is actively seeking to establish new enforcement agreements with States. The cooperation of States is also particularly vital when it comes to the apprehension of the remaining fugitives.

When the Council established the Mechanism in 2010, all States were urged to intensify cooperation and render all assistance necessary to achieve the arrest and surrender of all remaining fugitives. Just a few months ago, the Council renewed its entreaty in resolution 2150 (2014), calling upon all States to cooperate in the arrest and prosecution of the remaining nine fugitives indicted by the ICTR, three of whose cases remain with the Mechanism. Such cooperation is imperative if the international community's commitment to ensuring accountability is to have meaning.

I would now like to turn to discuss the ICTY, the first ad hoc tribunal created by the Council and a ground-breaking institution that is currently in the process of finishing its final few cases.

As regards the Tribunal's remaining trials, three of them — those of the late-arrested accused Messrs. Hadžić, Karadžić and Mladić — are continuing in line with earlier forecasts for judgement delivery, although all three are expected to continue past 31 December, as I had previously informed the Council. The fourth and final case still at trial — that of Mr. Šešelj — presents a situation sui generis, as described in my written report.

Since my last appearance before the Council, judgements in two appeals have been issued, and two more are expected by the end of this year. As previously reported to the Council, it is currently anticipated that despite the Tribunal's continuing efforts, it will have difficulty in completing the appeals in the remaining three appeal cases by 31 December, and the projected schedule of one of those cases has suffered a setback. Details on all of these matters and other updates regarding the Tribunal are contained in my written report.

Even as the Tribunal's judicial work advances, the ICTY continues to move towards closing its doors and is taking active steps to downsize its operations. A variety of factors, many beyond the scope of the case management process, continue to pose challenges as we strive to maintain previously forecast judgement delivery dates. I can assure the Council, however, that the committed judges and staff of the Tribunal are making every effort to ensure that the Tribunal's nine remaining cases are speedily concluded while still respecting all necessary procedural safeguards.

International courts cannot resolve long-running historical conflicts on their own. Courts must be part of a panoply of transitional justice measures, including broader societal efforts spearheaded by community leaders, focused on history, memory, responsibility and respect for the rule of law. The need for a broader approach such as this should not, however, detract from our appreciation for the Tribunal's groundbreaking role and the valuable contributions of international criminal justice more generally.

Ensuring accountability for the worst of crimes and respect for the rule of law is sometimes not easy, and it is certainly not cost-free. But it is essential. For the protection of men, women and children, and for the preservation of our common values, the commitments made by the Security Council more than two decades ago, and renewed in 2010 and again this very year, must not be forsaken. It is because of this that the Mechanism was created, that the ICTY is diligently and carefully completing its final few cases before it closes, and that a successful conclusion to the remaining work entrusted to both institutions is still so tremendously important.

I am, as ever, deeply grateful to the members of the Council and the international community for their continued support as my colleagues and the dedicated staff of the ICTY and the Mechanism carry out the mandates the Council has entrusted to us.

The President (*spoke in Russian*): I thank Judge Meron for his briefing.

I now give the floor to Judge Joensen.

Judge Joensen: I would like to begin by extending my sincere congratulations to the representative of the Russian Federation presiding over the Security Council in June. I would also like to thank and congratulate the representative of Chile on assuming the role of Chair of the Informal Working Group on International Tribunals. I wish both of them successful tours of duty. I would also like to take this opportunity to renew my thanks to the Office of the Legal Counsel for its continued work over the past six months as a very able and neutral interlocutor between the Tribunals and the Security Council.

It is as always a great honour to address the members of the Council and present it with a current update on the progress being made towards completion

of the work of the International Criminal tribunal for Rwanda (ICTR). I wish to express the gratitude of the entire Tribunal to all Governments represented on the Council for their continued support as we approach the conclusion of two decades of judicial work.

I am happy to report that the Tribunal's judicial workload, which or some time has been only in the Appeals Chamber, remains on schedule since my last report (S/2013/663) in December 2013. The Appeals Chamber has delivered two judgements concerning four persons and heard appeals in three cases concerning four persons during the six months since the last report. Appellate proceedings have now been concluded with respect to 50 persons, and the Appeals Chamber is expected to render a judgement on the sole remaining accused in the Ndindiliyimana et al. ("Military II") case in June, while three other appeal judgements concerning four persons are projected to be delivered in September. This leaves only the Nyiramasuhuko et al. ("Butare") case, concerning six persons, in which the appeal is still scheduled to be heard before the end of 2014, with the judgement still not projected for completion before the end of July 2015.

As I have previously reported, the projected delivery of the appeal judgement in the Butare case reflects the delays in the briefing schedule, the fact that the scope of the appeals in this case has expanded since the initial notices of appeal, and the voluminous and complex pre-appeal litigation. I remain in contact with the Presiding Judge on the Butare appeal, and I am happy to report that the allocation of additional resources to this case has helped to prevent the additional delays that could potentially have occurred due to the continued volume of pre-appeal litigation. The Registrar and I continue to work closely with the Presiding Judge on Butare to try to ensure that the judgement in our final case will be delivered without any further delays.

I feel it is incumbent on me at this time to bring to the Council's attention, as I have in the past, the tireless work and dedication of the appeals judges and support staff of the Appeals Chamber, who have once again worked during this reporting period to very tight deadlines to ensure that the Tribunal's work remains on schedule. As the Council is well aware, however, the Tribunal is more than just its judicial component, and I would therefore be remiss if I did not also thank all the current and former ICTR staff outside the judicial teams. Their contributions to international justice have helped us reach the stage we are at today and will not soon be forgotten. As we look back on almost 20 years of work, it is clear that the staff of the Tribunal, some of whom have committed large parts of their working lives to it, represent a significant part of the ICTR's legacy and what it will leave for posterity.

I now turn to the issue of relocating the acquitted and convicted released persons still residing in Arusha. I note that during the reporting period, the number of acquitted persons increased from seven to nine, following the acquittal of two individuals in the Ndindiliyimana et al. case in February, and the number of convicted released persons rose from two to three, following the release of Innocent Sagahutu after we filed our written report (see S/2014/343) on 5 May. Mr. Sagahutu was released following a reduction in his sentence by the Appeals Chamber in February and was eligible for consideration for early release, which was granted on 9 May.

The issue of relocating the now 12 individuals currently residing in Arusha has been brought to the Council's attention on numerous occasions and is an issue that I continue to believe represents a serious challenge to the credibility of the enforcement of international criminal justice. Despite numerous Security Council resolutions calling upon Member States to assist the ICTR in its relocation efforts, all attempts made by the ICTR to relocate the remaining individuals have proven unsuccessful.

Since the last report to the Council (S/2013/460), and consistent with the framework of the strategic plan submitted to the Informal Working Group on International Tribunals in the past year, the Registrar and I met with representatives from European countries. The Registrar also visited countries in Africa and held discussions with the African Group and the Chair of the African Union Commission in Addis Ababa to present the idea of the relocation of one or more acquitted or released persons. Unfortunately, as more time passes without positive results, it becomes less likely that those individuals will be relocated before the ICTR closes, and, as such, the Tribunal must once again call for urgent assistance from the Security Council to find a sustainable solution to the issue.

I will now update the members of the Council on the progress regarding the issue of reparations for victims of the genocide. I am pleased to announce that, following a request from victims' associations and initial discussions between my Office and the International Organization for Migration (IOM), which I explained

in my last report to the Council (S/2013/460), IOM has secured funding through a generous donation by the Government of Finland to undertake an assessment study on how the issue of victims' reparations could be taken forward. In February, the IOM and my Office held very promising initial meetings with key stakeholders in Rwanda, including the Rwandan Government, victims and survivors associations and civil society. Further consultations and preparations for the next stage of the project are expected to begin shortly, following the conclusion last week of a formal memorandum of understanding between the IOM and the Rwandan Government.

I will now provide the Council with an overview of the progress that has been made with respect to the transition to the International Residual Mechanism for Criminal Tribunals pursuant to resolution 1966 (2010). During the reporting period, the administration of the monitoring of all ICTR cases referred to national jurisdictions became fully the responsibility of the Mechanism. However, ICTR staff members continue to assist the Mechanism as interim monitors, pending the finalization of the Mechanism's arrangements with an international organization or body to monitor all referred cases.

In accordance with article 27 of the Rome Statute, the Mechanism is responsible for the management of the archives for both Tribunals. The ICTR continues to work in close cooperation with the Mechanism to ensure that the records are prepared in a manner that will facilitate effective management by the Mechanism after the transfer. I am happy to report that, as of 5 May, the Tribunal has transferred to the Mechanism a total of approximately 630 linear metres of records with long-term to permanent retention value, out of an estimated total of 2,621 linear metres of records that are being appraised for transfer by the end of the ICTR mandate. After a great deal of work done on assessing records in the past six months, additional records will be ready for transfer to the Mechanism during the coming months. However, records still in active use, including records related to the *Butare* case, will remain the responsibility of the ICTR and will be transferred only once they are no longer in use. The Tribunal remains hopeful that the preparation and transfer of its records will be completed prior to its closure.

I will conclude by recalling that, since April, Rwanda has been marking the twentieth anniversary commemoration and honouring the victims of the 1994 genocide. Overwhelmingly, the victims of the atrocities in 1994 were Tutsi, against whom the ICTR has stated, as a fact of common knowledge beyond dispute, that a genocide was committed. But they were also Twa, moderate Hutu and others who stood in opposition to the genocidal campaign, all of whom suffered the same tragic fate as their Tutsi brothers and sisters. Very fitting efforts to honour the victims of the genocide have already taken place, and further efforts are being planned to continue the commemoration for all victims of the genocide.

In April, representatives from the ICTR, including myself, the Prosecutor and the Registrar, participated in commemorative events in Kigali, Arusha and Dar es Salaam. Those events very fittingly reminded the world of those 100 dark days that took the lives of more than 800,000 people and of the resiliency of a country whose determination to rebuild a society after unspeakable devastation represents a monumental achievement that will not soon be forgotten.

Rwanda's achievements over the past 20 years are quite impressive, including the creation of a stable and functioning Government, whose commitment to national reconciliation and the strengthening of the rule of law can be seen in, as one example, its vigorous efforts to rebuild its justice system. The development of Rwanda's judicial system, including holding accountable those who participated in the atrocities in 1994, remains a crucial part of the peace and reconciliation process in Rwanda, and there can be no question that the ICTR has played an important role as an accountability mechanism.

It is a testament to Rwanda's dedication to accountability that, as the Tribunal's mandate draws near to a close, Rwanda is currently in the process of trying two cases referred to it by the ICTR and has taken over responsibility for six of the remaining fugitives. As Rwanda and other countries continue to work to hold those responsible for international crimes accountable, it is clear that the jurisprudential legacy of the ICTR will live on until, as Secretary-General Ban Ki-moon appropriately put it, "genocide is consigned, once and for all, to history". The Secretary-General's message was delivered by Bongani Majola, ICTR Registrar, in Arusha at the 10 April commemoration (SG/SM/15763).

As we look ahead, it is also important to note that 8 November 2014 will mark 20 years since the Council saw fit, initially at the request of Rwanda, to create an international tribunal. We hope that the

international community will use the occasion as an opportunity to mark Rwanda's achievements, as well as to further study the lessons learned from what was only an experiment in international justice in 1994. The great experiment has faced some adversity over the years, but it has also proven to be an integral part of the evolution of post-conflict justice. We plan to recall all of the Tribunal's achievements and challenges through a series of international events surrounding the 8 November anniversary. We sincerely hope that the international community will fully engage in and support those efforts.

It has been my distinct honour to address the Council once more, and on behalf of the Tribunal, I wish to express our gratitude for the support that the States Members of the United Nations have shown us throughout the past two decades. Continued assistance from Member States is crucial to the efforts that we are making to ensure that the Tribunal can close its doors with its mandate completed and its legacy secured.

The President: I thank Judge Joensen for his briefing.

I now give the floor to Mr. Brammertz.

Mr. Brammertz: I thank you, Mr. President, for the opportunity to address the Council on our progress towards the completion of our mandate.

As forecast in my December address (see S/PV.7073), in this reporting period the Prosecution finished presenting its evidence in all the remaining trials. We are now well and truly in the final phase of our work. In the Karadžić case, the defence case has closed and the parties are now preparing their final trial briefs and closing arguments for late August and September, respectively. Following the closing of the Prosecution's case in both the Mladić and the Hadžić cases, the respective Trial Chambers denied the defence motions for acquittal. As a result, the Mladić defence began presenting its evidence two weeks ago and the defence in the Hadžić case is scheduled to begin on 3 July. The trial judgement in the Šešelj case is still pending.

The Appeals Division of the Office of the Prosecutor is presently occupied with five appeals. I would like to refer the Council to the full written statement for more details in that regard.

The appeal judgements earlier this year in the *Šainović et al.* and *Đorđević* cases established two additional legal precedents with far-reaching and positive significance for both the Tribunal and for international criminal law. First, in both cases, the Appeals Chamber corrected errors at the trial level that resulted in unduly restrictive approaches to assessing whether the accused could foresee crimes of sexual violence. In correcting those errors, the Appeals Chamber has strengthened the foundations for holding senior officials accountable for crimes of sexual violence amid a violent criminal campaign. Secondly, in the *Šainović et al.* case, the Appeals Chamber affirmed that specific direction is not a requirement for aiding and abetting, thereby bringing the Tribunal's case law back in line with customary international law.

I am pleased to report that the day-to-day cooperation between my Office and the countries of the former Yugoslavia continues smoothly. Serbia, Croatia and Bosnia and Herzegovina have responded as required to our requests for assistance and have generally facilitated our work on the remaining trials and appeals. We call upon the national authorities to maintain that good cooperation throughout the next reporting period and beyond. I am also pleased to note that additional cooperation protocols have been concluded among the countries of the former Yugoslavia on war crimes issues and that information exchanges are taking place. That is clearly an improvement, and we encourage the national authorities to translate the goodwill enshrined in the protocols into more visible action.

When it comes to implementing the Bosnia and Herzegovina National War Crimes Strategy, the picture is unfortunately bleak. As I have reported over the past four periods, very little progress has been made towards finalizing the remaining category II cases, the last of which my Office transferred to Bosnia and Herzegovina in 2009. Only one indictment in relation to those investigation files was issued in the current reporting period, leaving the other seven files pending, with no discernible progress made. In April, I had in-depth discussions with representatives of the Office of the Prosecutor of Bosnia and Herzegovina but did not receive convincing explanations for the absence of relevant activity on the remaining files. That situation cannot continue. The responsible authorities must commit to a dramatic improvement in processing the category II cases.

More generally, the Bosnia and Herzegovina National War Crimes Strategy is considerably delayed and a large backlog of cases remains. According to the

Office of the Prosecutor of Bosnia and Herzegovina, around 350 complex cases should be completed by the end of 2018. That is three years after the deadline originally prescribed. Then there is the far larger backlog of less complex cases, many of which still await investigation and, in some cases, the start of investigations. Serious action is required if that large volume of cases is to be completed by the 2023 deadline.

The delay does not arise solely from a lack of resources. There is little commitment on the part of the responsible institutions to prioritizing war crimes investigations and prosecutions. While more resources alone will not solve some of the fundamental problems of the National War Crimes Strategy, my Office welcomes the justice budgetary support of the Instrument for Pre-accession Assistance, funded by the European Union, which aims to strengthen resources for war crimes processing. My Office also recognizes the efforts of the Organization for Security and Cooperation in Europe (OSCE) mission in Bosnia and Herzegovina to set up a new and more coordinated national training programme for war crimes cases. As emphasized in a report prepared on behalf of my Office last year, a comprehensive and coordinated training programme is an essential precondition for successfully implementing the National War Crimes Strategy. My Office remains available to work with the OSCE and other relevant partners to integrate the knowledge and expertise of the International Tribunal for the Former Yugoslavia into the programme.

My Office is in the process of finalizing the first edition of a paper that records our best practices and lessons learned with respect to investigating and prosecuting crimes of sexual violence. We know that such crimes occurred in shockingly high numbers during the conflict in the former Yugoslavia and that many of them remain unaddressed. We also know that crimes of large-scale sexual violence continue to characterize ongoing conflicts around the world. We plan to make available our experience over the past 21 years in navigating some of the distinctive obstacles that arise in sexual violence cases. The paper will be of interest to a range of actors, including the national authorities of the former Yugoslavia and other countries around the world.

Our work also reinforces other efforts currently under way within the international community to elevate the priority accorded to crimes of sexual violence and to improve the guidance available to those investigating and documenting such crimes. One such effort is the United Kingdom's Preventing Sexual Violence Initiative, launched in May 2012 by Foreign Secretary William Hague. We will be present at the Global Summit to End Sexual Violence in Conflict in London next week and look forward to sharing our insights and expertise as part of that unprecedented dialogue on conflict-related sexual violence.

On a similar theme, we are pleased that, of course within the constraints of our available capacity, the expertise within my Office is being channelled into rule of law capacity-building efforts across the world. Periodically, we have been called upon to advise and assist in post-conflict accountability processes in the Middle East, Africa and South America. We have also assisted other parts of the United Nations system, such as the Office of the High Commissioner for Human Rights and UN-Women, in that regard. In that way, we have been pleased to reinforce the operational capacity available within the international community for investigating and prosecuting international crimes. To the extent compatible with our core functions of trial and appellate work, we will remain open to further requests to assist in the future.

In conclusion, as downsizing continues in compliance with the completion strategy, my Office remains firmly focused on the final trials and appeals, which are among the most important and complex in the Tribunal's history. We are also taking a deep and reflective look at the practices that we have developed and the lessons learned over the past 21 years. We know that there is an increasing interest among many stakeholders in accessing such information, and we are committed to sharing it. We will continue to encourage the national authorities, especially those of Bosnia and Herzegovina, to take full advantage of the resources available to them within my Office in order to ensure accountability for the crimes committed. More broadly, we know that finding creative and effective new strategies for national capacity-building is a priority area if we are to construct a more coherent and complete international justice system. We will ensure that our experience and expertise are available as a building block for that process.

The President (*spoke in Russian*): I thank Judge Brammertz for his briefing.

I now give the floor to Judge Jallow.

Judge Jallow: Today's meeting takes place against the backdrop of the recent commemoration by the

Security Council, Rwanda, the International Criminal Tribunal for Rwanda (ICTR), the International Residual Mechanism for Criminal Tribunals and, indeed, the world at large of the twentieth anniversary of the 1994 Rwandan genocide against the Tutsis. It is also in anticipation of the twentieth anniversary of the establishment of the ICTR by the Council.

In that context, we at the ICTR and at the Mechanism share the expression of remorse by Council members over the occurrence of that great tragedy. We commend the Council's unflinching support for justice and accountability, as well as its commitment to make never again a reality. Rwanda's tragedy of 1994 acutely highlights the need for effective measures to prevent mass atrocities and for timely and effective steps by the international community to protect communities that face the threat of or are already subject to such atrocities. We hope that the role of the ICTR in the process of post-genocide justice and reconciliation in Rwanda has provided a basis for effective accountability for such crimes and further strengthening of the international community's resolve to ensure that such atrocities are indeed never again allowed to occur.

The ICTR, in the course of its mandate, has indicted 93 leading figures, of whom 61 thus far have been convicted of genocide, crimes against humanity or war crimes and 14 have been acquitted at trial or on appeal. Two indictments were withdrawn prior to trial, three accused passed away prior to trial, and we have now referred ten cases to national jurisdictions for trial. We still have nine fugitives at large, six of whom have had their cases referred to Rwanda, and three fugitives have had their cases reserved for the International Residual Mechanism for Criminal Tribunals.

The process of justice and accountability has not, it must be acknowledged, been exclusively the preserve of the International Court. Rwanda, through both its conventional courts and its traditional gacaca courts, has undertaken the prosecution of the bulk of perpetrators of the genocide and contributed significantly to the restoration of peace and the reconciliation of the community. Several other countries, in Europe and the Americas particularly, have also contributed to the process by undertaking the local prosecution of genocide suspects, extraditions or deportations of suspects or acceptance of cases for trial on referral from the ICTR. The process of accountability has thus been a truly global effort. Underpinning it all is the sacrifice of thousands of victims and survivors who have come forward and testified before the courts, reliving their bitter experiences in order to assist the courts in establishing the truth and rendering justice. To all those States and to the witnesses, we owe a debt of gratitude.

As we commemorate the twentieth anniversary of that tragic event and prepare for the imminent closure of the ICTR and the complete takeover of its functions by the Mechanism, we need to recognize that, despite many achievements, much remains to be done to bring the process of legal accountability to a proper end. Member States need to cooperate with and support the Mechanism and Rwanda to ensure that the nine remaining fugitives are arrested and transferred to the appropriate jurisdiction for trial. The many other persons suspected of involvement in the genocide who could not be indicted by the Tribunal need to be extradited to Rwanda for trial or to another appropriate jurisdiction or prosecuted by the States in which they reside. Witnesses who require protection need to be secured against those continuously seek to subvert the process of justice. Those who have been acquitted or have finished serving sentences need to be assisted with resettlement. These are all matters in which only Member States can assist to provide solutions, and we look forward to their full cooperation in all these respects.

Turning to the work of the ICTR during this past period, I am pleased to report that, with the completion of the oral arguments on appeal in the *Nizeyimana* and *Nzabonimana* cases, the Tribunal's remaining workload continues to be reduced and is on track for timely completion. Earlier in the reporting period, the Appeals Chamber also completed the hearing of oral arguments in the *Karemera et al* and *Ngirumpatse* appeals, at which session it also delivered judgements against three accused in the *Ndindiliyimana et al* (*Military II*) appeal. Prior to that, judgement on the *Ndahimana* case was delivered on 16 December 2013.

We are now awaiting a judgement is now awaited in the case of Augustin Bizimungu, whose appeal was severed from the other *Military II* accused, as well as in the *Nizeyimana* and *Nzabonimana* cases. Oral argument in our last appeal — the *Butare* case, in which there are six accused — has not yet taken place, but my staff are actively engaged in preparing for it, litigating a large number of post-trial motions and preparing for final submissions in that case.

Alongside the appellate work, which is the only core work that remains, staff of the Office of the Prosecutor

(OTP) remain actively engaged with the completion of the remaining critical activities, including the updating of all records of past disclosures for a smooth transition to the Mechanism. The archiving of the OTP's records continues apace, and with the commissioning of the OTP's archives store, which was mentioned in my most recent report, more records are positioned for transfer to the Mechanism's archives. In the past six months, a further 225 boxes of documents in respect of 5 cases were handed over to the archives. The processing, appraisal and security classification of all Office records continues in order to ensure proper archiving.

The staff also continue to assist the staff of the Mechanism's Office of the Prosecutor in a double-hatting capacity whenever required, particularly in connection with the monitoring of referred cases and the preparations for oral arguments in the *Augustin Ngirabatware* case.

Our residual work, especially around good practices and experiences and the preparation of manuals, continues to attract interest from broad quarters and practitioners, particularly in the efforts to meet the challenges of transitional justice. Our cooperation with other United Nations agencies in that respect has been most useful. Our manual on the investigation and prosecution of sexual violence was completed and launched at an international workshop that I hosted in Kampala in January 2014 and is now available to all Member States and other interested parties. A series of regional training events are being planned on this subject for later this year as a follow-up to the Kampala meeting. I am happy to report that UN-Women has played and continues to play an important role in those activities in relation to a very difficult and critical subject. Like our colleagues at the International Tribunal for the Former Yugoslavia (ICTY), we are also collaborating with the organizers of the global conference in London relating to the investigation and prosecution of sexual violence and look forward to participating in that event.

With regard to the activities of the Mechanism, I am pleased to inform the Council that, with the completion of the recruitment of the core staff of the Office in both branches, in Arusha and The Hague, the work of the two branches and the task of inter-branch coordination is progressing well.

At the Arusha branch, the creation of a roster of potential staff for recruitment in the event of the arrest of a fugitive is in progress. To enhance further cooperation in the tracking and arrest of the three fugitives, that is, Félicien Kabuga, Protais Mpiranya and Augustin Bizimana, I have visited, during the reporting period, several countries in the Southern African Development Community and Great Lakes region of southern Africa and held high-level and productive consultations with Government ministers and senior security officials.

I am pleased to report that the Mechanism has been assured that it will receive effective cooperation in pursuance of our requests. Further visits to more countries in the region are planned before the end of the year. It is my hope that, with increased cooperation between Member States and staff on the ground, the tracking activities and the arrest of the fugitives will be accelerated and yield some results. Tracking will continue to be a top priority for the Mechanism, and so should also be for all Member States. Our Office continues to receive a steady stream of requests for assistance, and in the current reporting period, 51 requests from 10 countries were responded to.

Monitors appointed by my Office continue to monitor the two cases, *Uwinkindi* and *Munyagishari*, that were referred to Rwanda in 2012 and 2013, respectively, and *Bucyibaruta* and *Munyeshyaka*, which were referred to France in 2007. The trial of Uwinkindi has actually commenced as scheduled on 14 May 2014. Meanwhile, pre-trial proceedings in the *Munyagishari* case in Rwanda are ongoing, although no firm trial date has yet been scheduled. My recent consultations with French judicial authorities also disclose significant progress in the management of the two cases in France. The oral arguments in the *Ngirabatware* case, the only appeal pending from the Arusha branch, are tentatively scheduled for 30 June.

The Hague branch has, in addition to establishing itself to its full capacity, been active during the reporting period. We have established there an advance ad hoc appeals team to deal with the appeals that we expect to manage, and the branch works closely with the ICTY Office of the Prosecutor, making use of double-hatting arrangements to prepare for future appeals and to make efficient use of resources.

Regarding judicial activities, I am pleased to report that the briefing of a request for a review of the ICTY judgement against Milan Lukić has been completed. The Hague branch has responded to nine applications for variations of protective measures from national judicial authorities in relation to more than 30 ICTY witnesses. It has also provided information to the

Registrar regarding the enforcement of sentences in relation to five persons convicted by the ICTY.

Cooperation with the national juridical authorities with respect to that branch is going well. There has, however, been an unforeseen increase in the number of requests for assistance received by the Hague branch. We have had to create a temporary position in order to assist with managing that backlog. Since my last report (see S/PV.7073), the Hague branch has responded to 121 requests for assistance, primarily from prosecutors from the former Yugoslavia. The Hague branch has been working closely with the liaison prosecutors from Bosnia and Herzegovina, Croatia and Serbia, who are situated at the ICTY-OTP, and we are in the process now of negotiating — and hopefully we will conclude before the next meeting of the Council on this topic — memorandums of understanding with the respective State prosecutors in the region to entrench cooperation and mutual legal assistance and ensure smooth continuity as the Mechanism takes over mutual assistance and cooperation responsibilities.

Further, we also had the pleasure of participating in the annual conference of prosecutors in Brijuni this year.

I remain confident that the ICTR is on track for the timely completion and closure of its remaining workload, with the conclusion of all cases save the Butare appeal. We therefore consider 2014 a fitting year to organize, as we plan to do, subject to voluntary contributions from Member States, two critical components of the ICTR legacy programme. The seventh Colloquium of International Prosecutors, which will seek to identify the challenges and prospects for the national prosecution of international crimes and the lessons that the work of the Tribunals can offer in that regard. The Colloquium will also be complemented by an international symposium on the contribution of the ICTR to international justice, peace and reconciliation. We look forward very much to the support of Member States to make those events possible.

Finally, allow me to acknowledge, with appreciation, the Council's resolution 2150 (2014) calling for the urgent and active support of Member States, especially in the Great Lakes region, to realistically show their commitment to the fight against impunity by supporting the Mechanism in tracking and arresting the few remaining fugitives slated for trial in Arusha and in Rwanda. That remains the biggest challenge, not only for the Tribunal, but also for the cause of international justice and accountability.

The President (*spoke in Russian*): I thank Mr. Jallow for his briefing.

I now give the floor to members of the Council.

Mr. Barros Melet (Chile) (*spoke in Spanish*): My delegation thanks the Presidents and Prosecutors of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and of the International Criminal Tribunal for Rwanda (ICTR) for their complete reports on the work done and on the completion strategies of their respective Tribunals. We also thank the President and Prosecutor of the International Residual Mechanism for Criminal Tribunals for his comprehensive reports on the Mechanism's work.

Our country has supported the establishment of the various International Criminal Tribunals and their work. We underscore their contribution to the international justice system and to international peace and security and the rule of law. In that regard, we recognize and support the work carried out by the ICTY and the ICTR in accordance with our conviction that the most serious crimes in the eyes of the international community must not go unpunished.

Last year we commemorated the twentieth anniversary of the establishment of the ICTY, and this year we will commemorate the twentieth anniversary of the creation of ICTR. Experience has shown us that the jurisprudence of the specialized Criminal Tribunals, despite their ex-post-facto nature, serves as a valuable contribution to the fight against impunity and the ongoing development of international criminal law. In that connection, we also support the work of the International Residual Mechanism for Criminal Tribunals, which ultimately allows for the conclusion of the proceedings initiated by the Tribunals and ensures accountability for those responsible for the crimes that led to the establishment of the ICTY and ICTR.

From my country's perspective and with our own experience in recent history, we would like to underscore the role played not only by the international criminal Tribunals, but also by the cooperation and assistance that can be provided by the international community in creating mechanisms for victim reparations, which will open space for reconciliation.

With regard to the ICTY, we underscore the progress made in concluding the pending trials

and appeals, ensuring all the while respect for the fundamental principles of due process, impartiality and justice. Meanwhile, we underscore the importance role that international judicial cooperation has played in ensuring the Tribunal's proper functioning, which has allowed, among other things, for the completion of the trials of 141 of the 161 accused, and the important fact that there are no fugitives at large. However, despite the Tribunal's efforts, we see a delay in the processing of some cases owing to a lack of logistical resources, primarily with regard to the translation of many documents. My country encourages Member States to increase their cooperation in that area in order to streamline the procedures so that justice can be served.

With regard to the International Criminal Tribunal for Rwanda, we underscore the fact that its trial work has been completed and that there are only five appeals at various stages of processing. Rulings are expected to be handed down this year, except in the *Butare* case, the decision for which is expected next year.

We wish to express our concern over the fact that nine defendants remain fugitives, and we encourage all States, especially those in which fugitives are suspected to be situated, to redouble their efforts to find them and have them brought before the Mechanism for trial. The international community must cooperate with international criminal justice to ensure that there is no impunity.

With regard to the situation of acquitted persons and those who have already served their sentences and remain in Arusha under the custody of the Tribunal without identification documents, migration status or means to support themselves, it is essential that efforts to find a final resettlement for them continue. Once again, the international criminal justice system depends on the cooperation of the international community.

With regard to the Residual Mechanism, we are pleased that it is fully operating and carrying out intense judicial work and that the transfer of the Tribunals' functions to the Mechanism has shown concrete progress. We underscore the signing of the agreement between the United Nations and the Government of Tanzania, on 5 February, which allows for the construction of the facilities for the Mechanism in Arusha. We thank the Government of Tanzania for the generous donation of land on which those facilities will be built. We also encourage the prompt signing of an agreement between the United Nations and the Government of the Netherlands on the functioning of the branch at The Hague. The transfer of the archives of both Tribunals to the Mechanism should be a priority for those bodies. In that regard, we recognize the progress made so far.

The Tribunals have achieved much progress in fulfilling their mandates, and we recognize their efforts to implement their completion strategies. Nevertheless, we recognize the challenges that the Tribunals face in retaining their qualified and experienced staff, who, faced with losing their jobs with the conclusion of the work of both Tribunals, are seeking other opportunities. The international community must ensure that both the Tribunals and the Mechanism have the necessary human resources to carry out the work entrusted to them by the Council.

The dual mandates of Judge Meron and Mr. Hocking, as President and Registrar of the International Criminal Tribunal for the Former Yugoslavia and the Residual Mechanism, respectively, and of Prosecutor Jallow, as Prosecutor of the International Criminal Tribunal for Rwanda and the Mechanism, have facilitated the effective and coordinated transfer of functions from the Tribunals to the Mechanism. We recognize their commendable work.

Chile is honoured to chair the Informal Working Group on International Tribunals. As we have heard from the Presidents and Prosecutors of the Tribunals for the Former Yugoslavia and for Rwanda, as well as from the President and Prosecutor of the Residual Mechanism, they face numerous challenges in their completion strategies and in the transfer of their functions to the Mechanism. The Working Group is in a unique position to contribute to the search for joint solutions. In that regard, we reiterate our call for a deepening of international cooperation so that the mandate given to the Tribunals and the Mechanism by the Council can be adequately fulfilled.

Mr. Gasana (Rwanda): I thank the briefers for the presentation of their assessments and progress reports on the work of their respective Tribunals and the Residual Mechanism (S/2014/343, S/2014/350 and S/2014/351).

Members of the Council are all aware that this year, from 7 April to 4 July, Rwanda is commemorating the twentieth anniversary of the one-hundred-day genocide against the Tutsi. On 8 November this year, we will also mark the twentieth anniversary of the International Criminal Tribunal for Rwanda (ICTR) established

by the Security Council in its resolution 955 (1994). Therefore, as we consider the reports submitted to us, we shall also take stock of the work of the ICTR during the past 20 years.

Rwanda acknowledges the important role played by the ICTR and by the International Criminal Tribunal for the Former Yugoslavia (ICTY) in advancing international criminal justice. Indeed, both Tribunals have produced a substantial body of jurisprudence, including on the definition of genocide and on superior responsibility. In the *Akayesu* case, the Tribunal, while establishing that genocide was committed against the Tutsi ethnic group in Rwanda, also ruled that acts of rape and sexual violence constitute crimes of genocide if committed with the intent to destroy the targeted group. We also recognize the fact that the ICTR indicted 93 individuals, mainly the masterminds, planners and organizers of the genocide, who were out of reach for the Rwandan justice system as they were international fugitives.

The ICTR and the ICTY clearly established that genocide was committed in Rwanda and Srebrenica respectively, and we take this opportunity to once again call on all members of the international community, including political actors, to fight the scourge of genocide denial, which is an insult to the victims and an obstacle to long-term reconciliation.

Rwanda also appreciates the medical and psychological services provided by the Mechanism to witnesses residing in Rwanda, particularly the victims of psychotrauma and HIV/AIDs among women raped during the genocide. That was one of the main contentious issues of the past few years, as those services had only been provided to the people indicted or convicted in Arusha.

Rwanda fully understands that all of the people indicted in judicial proceedings will not necessarily be convicted and sentenced. Nonetheless, we are extremely troubled at the dangerous trend we see in the ICTR appeals, where military commanders and cabinet ministers have been acquitted, despite some of them having been found guilty of serious charges by the Trial Chamber. I would recall that, in 1998, the then-Prime Minister of the genocidaire Government pleaded guilty to genocide and even produced a substantive written confession on how the genocide was planned and executed by the authorities.

Allow me to put things in historical perspective. Could anyone in this Chamber or elsewhere have accepted that Joachim von Ribbentrop, Adolf Hitler's Minister for Foreign Affairs, or Heinrich Müller, Head of the Gestapo, could be acquitted in Nuremberg? I do not think so.

Unfortunately, that is what happened at the ICTR, where a number of cabinet ministers, including the Minister for Foreign Affairs, and military commanders, including the Head of the Gendarmerie, have been acquitted by the ICTR, mainly by the Appeals Chamber. To add insult to injury, the ICTR has also granted a number of early releases to people sentenced for genocide despite the seriousness of the crime committed.

One of my interlocutors, a very prominent person working for the ICTR, told me two days ago, "You know, Ambassador, we need to take that kind of action so that we maintain a kind of credibility with the international community." I looked at him and I said, "Oh, that is well and good." I think that the ICTR, despite all its achievements mentioned previously, should strive to gain credibility among the Rwandan people, and especially among genocide survivors, those directly concerned, rather than among members of the international community.

With regard to the four cases referred to national jurisdictions under rule 11 bis of the ICTR Statute, the situation varies.

Two cases — those of Jean Uwinkindi and Bernard Munyagishari — were transferred to Rwanda in April 2012 and July 2013, respectively. The trial of Uwinkindi started last month, while that of Munyagishari is in pre-trial proceedings before the Rwandan courts. At the same time, two other cases — those of Laurent Bucyibaruta and Wenceslas Munyeshyaka — were transferred to France seven years ago, in November 2007. Let me recall that the investigations in France against the two individuals started well before the 2007 referral; they started in 2000 for Bucyibaruta and in 1995 for Munyeshyaka. We are informed by the monitoring mechanisms put in place by the ICTR that the trials in those cases will begin in 2015 and 2016, respectively — that is, 16 and 20 long years after the start of the respective investigations.

While Rwanda welcomed the conviction of Pascal Simbikangwa by a criminal court in Paris in March — which was the very first trial of a genocide suspect in France in 20 years — we are extremely concerned by the repeated delays of proceedings

in cases referred by the ICTR to France. It has been said that justice delayed is justice denied. We call on the French authorities to ensure that the remaining investigations are expedited, and we hope that they will be.

Rwanda is still concerned that nine ICTR fugitives remain at large, including the three top-priority fugitives, Félicien Kabuga, Protais Mpiranya and Augustin Bizimana. We recall resolution 2150 (2014), adopted by the Council on 16 April, which calls upon all States to cooperate with the ICTR, the Mechanism and the Government of Rwanda in the arrest and prosecution of those fugitives, and further calls upon States to investigate, arrest, prosecute or extradite all other fugitives accused of genocide residing on their territories, including those who are Forces démocratiques de libération du Rwanda leaders. In the meantime, we thank Prosecutor Hassan Bubacar Jallow for his continued efforts in tracking the fugitives, including by dedicating a page on the Mechanism's website containing updated information related to the search for those nine fugitives.

Rwanda commends the ICTR for its outreach programmes, in particular the awareness-raising activities of the Umusanzu Information and Documentation Centre in Kigali and its 10 additional provincial mini-information centres. As stated in the Mechanism's progress report (S/2014/350, annex I), the Centre has played an important role in information dissemination and facilitated access to ICTR jurisprudence and other legal materials, for the benefit of the Rwandan authorities, including the judiciary, academics, civil society and the general public.

In the long term, however, we have on many occasions expressed our view that the ICTR archives, although they are the property of the United Nations, should be located to Rwanda upon the completion of the Mechanism's mandate. Indeed, the ICTR records constitute an integral part of Rwandan history, are vital to the preservation of the memory of the genocide, and will play a critical role in preserving current and future generations from genocide denial and revisionism. Rwanda will continue its consultations within the United Nations system to achieve that goal.

In conclusion, we hope that as the ICTR marks its twentieth anniversary, it will live up to the expectations of Council members when they adopted resolution 955 (1994). I thank the Tribunal for its achievements, but we regret that its decisions in recent years will hardly convince Rwandans that it has served justice and reconciliation in our country.

Ms. Murmokaitė (Lithuania): I would like to begin by thanking Judge Meron, Judge Joensen, Prosecutor Brammertz and Prosecutor Jallow for their comprehensive reports and briefings today.

Lithuania supports and commends the work of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). The principle of accountability for the most serious crimes of concern to the international community must be upheld and actively pursued. The task of ending impunity for mass atrocities is often at the very heart of transitional justice and reconciliation efforts leading to a sustainable peace.

The ICTY and the ICTR were established by the Security Council to deal with horrific crimes in view of a lack of independent judiciary capacity. Guided by the principles of fairness, impartiality and independence, both Tribunals have championed respect for the rule of law, developed capacity at the national level, and contributed to the difficult but necessary process of reconciliation and peace. The reports and today's briefings clearly show that both Tribunals are moving successfully towards the completion of their mandates.

With regard to the work of the ICTY, all the indictees have been brought before the Tribunal, including several long-term fugitives. The Tribunal has concluded proceedings against 141 of the 161 indicted individuals. We expect the Tribunal to complete its work in the nearest future. It is important to emphasize that nothing should undermine its ability to deliver justice in due process. While acknowledging the heavy workload of the Tribunal and the considerable progress that has been made, we encourage the ICTY to take all necessary measures to keep the delays to a minimum.

Accountability for war crimes and crimes against humanity depends on the effective completion of the last cases by the ICTY and the International Residual Mechanism for Criminal Tribunals, as much as it does on the success of national prosecutions. In fact, effective and efficient national prosecutions of war crimes will remain a critical component of the ICTY's legacy. We share the concern expressed in the report (S/2014/351, annex I) regarding the slow processing of war crimes cases, and in particular cases of sexual violence, by national institutions in countries that emerged out of the former Yugoslavia.

Conflict-related sexual crimes are particularly heinous and have lasting effects on the victims, their families and entire communities. We call upon the national authorities to devote sufficient time and attention to these cases and to truly commit to the resolution of the outstanding case load. Regional cooperation is very important in this regard. The conclusion of the Protocol on Cooperation in Prosecution of Perpetrators of War Crimes, Crimes against Humanity and Genocide between the Prosecutor's Offices of Bosnia and Herzegovina and Montenegro on 29 April was a positive step in that respect.

The International Criminal Tribunal for Rwanda has done significant work in pursuing justice and set important precedents in the development of international criminal law, such as the first-ever prosecution for rape as an act of genocide. As the closure of the Tribunal approaches, nine fugitives indicted by the ICTR remain at large, six cases have been referred to Rwanda, and the remaining three indictees are to be tried before the Residual Mechanism. The work is not yet fully complete, and we should not let down our guard. We call on all parties to intensify their cooperation in order to achieve the arrest and surrender of all remaining fugitives as soon as possible. A successful conclusion to the Tribunal's work, and the delivery of justice to the victims and survivors of the unspeakable horrors committed two decades ago, would be a fitting tribute to the memory of the human tragedy whose twentieth anniversary is being commemorated this year.

An issue of concern is the human rights situation faced by those who have been acquitted but are still waiting to be relocated. We call on all States in a position to do so to respond positively to the Tribunal's request for their relocation.

After two decades of activity, the Tribunals are working together to ensure a gradual and effective transition of their work to the International Residual Mechanism for Criminal Tribunals. The Residual Mechanism is essential to ensuring that there will be no impunity for the remaining fugitives and that the appeals will be completed and witnesses protected.

Finally, I would like to note that the scale and horrendous character of the mass atrocities of the past few decades have clearly demonstrated the necessity of a permanent court of justice aimed at ending impunity for the most serious crimes of international concern, in situations where justice cannot or will not be ensured otherwise. Both ad hoc Tribunals have played a crucial role in and made a considerable contribution to the creation of the International Criminal Court (ICC). As the work of the ICTY and the ICTR is about to end, it is more important than ever that the Council fulfil its responsibilities in putting an end to impunity and ensuring justice and accountability. In that regard, political support for the ICC is essential in order to make sure that it can deliver on the expectations of the numerous victims of war crimes, crimes against humanity and genocide, for whom this body may be the only recourse to justice.

Mr. Laro (Nigeria): I would like to thank the Russian delegation for convening this important debate, and I join previous speakers in thanking the briefers for their statements. Nigeria commends the two ad hoc Tribunals for their contributions to the development of substantive and procedural international criminal law and the promotion of the rule of law. Their work has helped to strengthen the international criminal justice system and the fight against impunity and has affirmed the importance of ensuring accountability for genocide, crimes against humanity and war crimes.

Council members will recall that at the meeting held on Wednesday, 16 April, to commemorate the twentieth anniversary of the genocide in Rwanda (S/PV.7155), the Council adopted resolution 2150 (2014), which calls on States to recommit to preventing and fighting genocide and other serious crimes under international law. The Council acknowledged that the prosecution of persons responsible for genocide and other serious crimes by the International Criminal Tribunal for Rwanda (ICTR) has contributed to the process of national reconciliation and to the restoration and maintenance of peace in Rwanda.

In the interests of justice, all Member States have a duty to cooperate with the ICTR, the International Residual Michanism for Criminal Tribunals and the Government of Rwanda in order to arrest and prosecute the remaining fugitives indicted by the Tribunal. According to the report of the ICTR (see S/2014/343), Member States have intensified their cooperation, with the goal of apprehending and bringing to trial within their national jurisdictions the Rwandan suspects on the INTERPOL list of wanted fugitives. This is a welcome development, and we hope it sends a clear message that there will be no place for the perpetrators of mass atrocities to hide.

Nigeria takes positive note of the progress the ICTR has made in implementing its completion

strategy, which has been updated continuously since 2003. The smooth handover of most of its judicial and prosecutorial functions to the Residual Mechanism is an important indication of that progress. While we understand that preparing and submitting archives to the Mechanism is a major challenge, we nonetheless call on the Tribunal to continue to focus on the process of transferring the records and archives. One important fact is that the lessons learned in managing the judicial, administrative and prosecutorial functions of an international tribunal are vast, and sharing them will enable current and future international and domestic courts to learn from the successes and challenges that form the ICTR's legacy.

Turning to the International Tribunal for the former Yugoslavia, it is significant that there are no outstanding fugitives and that the Tribunal has concluded its proceedings against 141 of the 161 individuals it has indicted. This reassures us that the Tribunal has been making progress in fulfilling its mandate to meet the completion strategy deadlines. Its support for the Residual Mechanism through a variety of processes, including recruitment, communications, information technology support and registry management, is commendable.

We are concerned that various factors, including the late arrests of some individuals and issues that are particular to specific cases, could militate against the efforts to complete some trials and appeals by the 31 December deadline for transfer to the Mechanism. We encourage the Tribunal to work expeditiously towards completing the outstanding judicial proceedings while observing all appropriate procedural safeguards, adhering to the fundamental principles of due process and fairness, and ensuring a smooth transition to the Residual Mechanism.

Nigeria welcomes the progress reports from the President and Prosecutor of the International Residual Mechanism for Criminal Tribunals for the period from 16 November 2013 to 15 May 2014 (S/2014/350, annexes I and II). We are satisfied that in accordance with its mandate, the Mechanism has assumed responsibility for many functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the former Yugoslavia. We urge the Mechanism to continue to work closely with the principals and staff of both Tribunals in order to facilitate the smooth transition of the remaining functions and services and to harmonize and adopt best practices.

Finally, we would like to state that Nigeria remains committed to the fight against impunity. We believe it must be confronted wherever it occurs. We support strong global action against mass atrocities, and to demonstrate our support we have ratified the relevant international legal instruments.

Mr. Maes (Luxembourg) (*spoke in French*): I too would like to thank Presidents Meron and Joensen and Prosecutors Brammertz and Jallow for their briefings and reports on the activities of the International Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). I also thank them for the information they have given us in the International Residual Mechanism for Criminal Tribunals. We commend the excellent work of both Tribunals in developing international law, bringing justice to the victims, apprehending fugitives and prosecuting the individuals guilty of genocide and serious violations of human rights and international humanitarian law.

The International Tribunal for the former Yugoslavia is currently dealing with very complex cases. We welcome the steps it has taken to meet the deadlines established by the completion strategy while respecting the fundamental principles of equity and due process. We are pleased that Bosnia and Herzegovina, Croatia and Serbia have continued to cooperate with the ICTY. Such cooperation on the part of States is essential if the Court is to be able to fulfil its mandate.

We note, however, that according to the Prosecutor's report (S/2014/351, annex II), the capacity of national institutions to prosecute war crimes effectively remains a source of concern, particularly in Bosnia and Herzegovina. We share the Prosecutor's concern about the slow progress with category II cases transferred to the Bosnia and Herzegovina authorities, as well as with other war crime cases, particularly those involving sexual violence. In that regard, we welcome measures taken by the Office of the Prosecutor to improve capacity-building through a joint training project with the European Union for national prosecutors and young professionals from the former Yugoslavia.

As regards Bosnia and Herzegovina, we commend the efforts of the European Union to strengthen available resources at the State and local levels to prosecute war crimes. We also welcome the training efforts by the Organization for Security and Cooperation in Europe in Bosnia and Herzegovina.

Last year, we marked the twentieth anniversary of the establishment of the ICTY. This year, we will mark the twentieth anniversary of the conception of the ICTR. Established on 8 November 1994 upon the request of Rwanda, the ICTR has played a critical role in prosecuting perpetrators of genocide. The ICTR is about to conclude its work, and the transition towards the International Residual Mechanism is under way. By the end of 2012, the first trials were concluded.

The Tribunal is now continuing with the appeal proceedings, which will be concluded, we hope, in 2015 with the delivery of a judgement in the Butare case. Three high-level fugitives are still being sought, and their arrest must remain a priority. They will be judged by the Residual Mechanism when they are apprehended. Cooperation among all States and the Tribunal and the Mechanism is an obligation under Security Council resolutions, and it is important that the Mechanism have the necessary support to successfully conduct its work.

Regarding assistance to the Tribunal, the pending issue of the resettlement of nine acquitted individuals and two others who were freed after serving their sentence and still live in Arusha, also has our full attention.

In establishing the International Criminal Tribunals for the Former Yugoslavia and for Rwanda, the Security Council responded to the universal appeal that those responsible for the most serious crimes against the international community be brought to account for their actions. The International Criminal Court, a permanent court with international jurisdiction, has now assumed a key role, which ensures that justice will be served.

At a time when the work of both Tribunals is coming to a close, it is more important than ever for the Security Council to shoulder its responsibilities in putting an end to impunity and providing unwavering support to the International Criminal Court (ICC). The fact that the Security Council can refer situations to the ICC is a key tool in establishing responsibility and accountability. At a time when current events, in particular in Syria, demonstrate that widespread atrocities remain a challenge for the international community, the legacy of the ICTY and the ICTR should serve to warn perpetrators across the world that they will have to bear the consequences of the choices they have made, the measures they have taken, and the orders they have given.

I conclude by welcoming the fact that the two Tribunals are making available the lessons learned from their ground-breaking work so as to strengthen national capacities across the world and create an international justice system that is more effective.

Mr. Lamek (France) (*spoke in French*): I wish to thank President Meron, President Joensen, Prosecutor Jallow and Prosecutor Brammertz for their briefings.

France would like to express its appreciation to the entire staff of the Tribunals for the work they have done to bring the work of the Tribunals to completion. We have the sense that everything is being done to abide by the timetables so that the individual trials and for appeals in the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) can be conducted in satisfactory conditions. We also unreservedly support the extension of the mandates for the Prosecutors and Judges.

I would also like to take this opportunity to recall once again the contribution made by the two Tribunals in the fight against impunity. I would also like to note the road that lies ahead as we seek to ensure that the work of justice can continue and will not be undermined.

In 2013, we commemorated the twentieth anniversary of resolution 827 (1993), which established the International Criminal Tribunal for the Former Yugoslavia. In 20 years, the region has found a human face again. Dialogue continues under the aegis of the European Union, particularly between Belgrade and Pristina. The International Criminal Tribunal for the Former Yugoslavia, which has worked to protect rights, fight against impunity and uphold the right to memory, has played a major full role in those processes. Today it seems normal to see individuals like Mr. Karadžić and Mr. Hadžić being judged in court. No one thought years ago that they would have to answer for their crimes.

The work that remains to be done is primarily tasks that fall within the political and judicial responsibility of the countries of the former Yugoslavia. Political rhetoric, criticizing this or that judicial ruling, has no place in the rule of law, where the judiciary and its independence must always be respected. The trials of intermediary criminals will require strengthened efforts, both domestically and in the area of regional cooperation. The right of victims to respect is also essential.

With regard to the International Criminal Tribunal for Rwanda, in resolution 2150 (2014) the Council has commemorated the twentieth anniversary of the genocide. We welcome the fact that the resolution recognizes the contribution of the ICTR. The Tribunal has put justice at the centre of its concerns in the region. The ICTR continues its work, and efforts at the international level have continued, even in the Democratic Republic of the Congo. We are pleased to see that international criminal justice has been supported at the political level within the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region. That agreement is aimed at bolstering cooperation among the States of the region and at putting an end to decades of instability and mistrust that have led to great tension. We cannot be complacent, however. The civilian population in the Great Lakes region remains victimized by repeated waves of violence. Sexual violence continues on a large scale, and the Tribunals have tried to eliminate such actions. We must therefore remain vigilant.

The work of justice is the work of all of us. I should like to confirm that the trials are continuing in the two cases that have been sent to French jurisdictions, namely, those of Mr. Bucyibaruta and Mr. Munyeshyaka. The French authorities are proceeding very carefully in those cases. As the Council is aware, other cases against individuals accused of genocide are also before the courts. At the same time, France confirms its willingness to continue to support the ICTR and the Residual Mechanism, seeking responses to the challenge that they face and that we have been reminded of today: the relocation of those who have been acquitted or have served their sentences and the search for the nine fugitives sought by the ICTR — Félicien Kabuga, Augustin Bizimana and Protais Mpiranya, among others.

On the second point, France draws attention to the obligation of all States to cooperate with the Tribunal and the International Residual Mechanism for Criminal Tribunals. The three fugitives must be brought before the Residual Mechanism when they have been apprehended. We must ensure that the Mechanism has the appropriate resources to complete its mission.

The International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda have been fundamental for the United Nations in this era, which Mr. Ban Ki-moon has called the era of accountability. The work of the Tribunals is coming to an end, but another permanent tribunal with universal jurisdiction exists, endowed with a statute that reflects the main judicial traditions, namely the International Criminal Court. I commend the unflagging support of the Secretary-General for the Court. We very much hope that such support will continue to be shown throughout the Secretariat in all departments and that each representative of the Secretary-General on the ground will provide an echo of that support.

France deeply regrets that some States have failed to avail themselves of the unique opportunity that we have with the International Criminal Court in pursuing all alleged authors of revolting crimes, and have been trying to reverse the course of history. Their presence today has given criminals and their protectors immunity. That is unfortunately the signal sent by two States represented at this table in exercising their veto on draft resolution S/2014/348, which referred the situation in Syria to the Prosecutor of the International Criminal Court.

In conclusion, I thank the Ambassador of Chile, Chair of the Informal Working Group on International Tribunals, his entire team, and the representatives of the International Criminal Tribunals and of the Office of Legal Affairs of the Secretariat for their efforts to implement the transition provided for by resolution 1966 (2010). The programme outlined to us by Mr. Barros Melet is ambitious, and we are ready to support it.

Mr. Li Yongsheng (China) (*spoke in Chinese*): I would first like to thank Presidents Meron and Joensen and Prosecutors Brammertz and Jallow for their respective briefings on the work of the International Criminal Tribunal for the Former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR) and the International Residual Mechanism for Criminal Tribunals. I would like to make the following four points.

First, with regard to the progress in the work on the completion strategy of both Tribunals, we note that, during the reporting period, the two Tribunals continued to make further progress, and we express our appreciation in that regard. Resolution 1966 (2010) establishes the time frame for the completion strategy of both Tribunals and calls on them to complete all their work by the end of 2014. However, according to the most recent reports of the two Tribunals (S/2014/350, annex, and S/2014/343, annex), the time frame set out by the Security Council cannot be achieved. The work of the ICTY will continue until 2017 and that of the ICTR

until 2015. We express our concern in that regard. We understand that there are multiple reasons for the delay. There are some additional issues to those foreseen by the two Tribunals. We hope that both Tribunals will continue to increase their efficiency while ensuring judicial fairness, overcome the difficulties in retaining staff, expedite their work and conclude their task as soon as possible. At the same time, we believe that the Security Council should conduct consultations as soon as possible on the programme of work of the two Tribunals beyond 2014 so as to find an appropriate solution.

Secondly, with regard to the transition, the branches of the International Residual Mechanism for Criminal Tribunals in Arusha and in The Hague started operations on July 2012 and July 2013, respectively. We are pleased to see that, owing to the relatively smooth transition of the two Tribunals to the Residual Mechanism, some judicial and administrative functions have been transferred. We express our appreciation in that regard. China hopes that the two Tribunals will carry out their work efficiently in accordance with the Security Council's resolutions. Particular attention should be given to strengthening communication and coordination with the Residual Mechanism in order to ensure a smooth transition to the Mechanism.

Thirdly, with respect to the cooperation of the relevant countries with the two Tribunals and the Mechanism, the cooperation of States, in particular those of the region, is crucial to the smooth functioning of the Tribunals and the Mechanism. We commend Serbia, Croatia, Bosnia and Herzegovina, Rwanda and the relevant regional countries for their cooperation with the Tribunals and the Mechanism on the investigations and the trials.

We also note that one of the most difficult issues that the ICTR faces is the relocation of those who have been acquitted and those who have served their sentences. We urge those countries that have the capacity to show the political will and actively consider assisting the ICTR in finding a solution to that issue. The ICTR should heed the views of Rwanda in that process. Moreover, there are still nine fugitives among those indicted by the ICTR. We hope that progress will soon be made towards finding the fugitives.

Fourthly, with respect to the assessment of the work of the two Tribunals, it has been 20 years or more since their establishement. They are now in the final phase of completing their work. Before their closure, we should earnestly review and evaluate our experiences and lessons learned in fighting impunity and in addressing the link between maintaining peace and achieving national reconciliation and the pursuit of justice. The international community can draw lessons in that regard and use them as a reference.

In conclusion, I would like to take this opportunity to thank the Ambassador of Chile in his role as Chair of the Informal Working Group on International Tribunals and the Office of Legal Affairs of the United Nations for their work.

Mr. McKell (United Kingdom): At the outset, I would like to thank President Meron, President Joensen, Prosecutor Brammertz and Prosecutor Jallow for the reports that they have presented to the Council today. I would also like to reiterate the United Kingdom's continued support for the very important work being carried out by both Tribunals as indpendent judicial bodies.

With regard to the International Tribunal for the Former Yugoslavia (ICTY), we note that Serbia, Croatia, Bosnia and Herzegovina continue to cooperate with the Tribunal. Regional cooperation remains essential if the ICTY is to be able to complete its mandate and deliver justice for the many victims of the conflicts in the former Yugoslavia. We welcome the news that the judgements in the trials of Karadžić, Mladić and Hadžić are all expected to be handed down on the anticipated dates. We commend the Tribunal for its work to minimize delays.

We note that the Prosecutor's main concern is, once again, the slow progress of war crimes prosecutions by national institutions within the former Yugoslavia, particularly in Bosnia and Herzegovina. The Prosecutor's assessment that that poses a risk to the deadline specified by the Bosnia and Herzegovina National War Crimes Strategy is very valid. The timely completion of such cases should remain a top priority. The offices of the Bosnia and Herzegovina State, entity and cantonal prosecutors have received additional staff to help expedite those proceedings. The Prosecutor's Office is supported by the European Union, which is contributing €15.5 million through the Instrument for Pre-Accession Assistance to build capacity and to help reduce the processing backlog. It is hoped that the backlog will be reduced by 50 per cent over the course of five years.

Moving on to the International Criminal Tribunal for Rwanda (ICTR), 2014 marks the twentieth anniversary of the Rwandan genocide, which was a tragedy of global significance that has influenced the international community's approach to peacekeeping, mass atrocity prevention and international justice. Between April 1994 and July 1994, in 100 short days, approximately 1 million people were killed in the most horrific manner. Rwanda's transformation since those dark days has been truly astonishing.

We would like to take this opportunity to congratulate the ICTR ahead of its upcoming twentieth anniversary in November and to thank everyone invloved in the Tribunal for their work to ensure that those most responsibile for the Rwandan genocide be held accountable. The work of the ICTR has been fundamental in helping to deliver justice.

The apprehension of the nine fugitives remains a cause for serious concern. The ICTR's work cannot be completed until those individuals have been brought to justice. We continue to encourage all States to provide the ICTR with their full cooperation in order to ensure that all those fugitives are apprehended and face justice.

The problem of relocating the acquitted indiviuals from Arusha also remains unresolved. We thank and commend the ICTR for its continued efforts to try and resolve that issue. Once again, we encourage all parties to work together to try and find an acceptable solution as quickly as possible.

The United Kingdom greatly appreciates and supports the work of the ICTY and the ICTR on tackling crimes of sexual and gender-based violence. The Foreign Secretary of the United Kingdom has made ending sexual violence in conflict a priority and will host the Global Summit to End Sexual Violence in London from 10 to 13 June. It will be the largest summit ever held on the issue and will seek agreement by States to practical steps to shatter the cultural impunity surrounding crimes of sexual violence once and for all.

Mr. DeLaurentis (United States of America): I thank Presidents Meron and Joensen and Prosecutors Brammertz and Jallow for their reports and, even more, for their dedication to global justice.

The recent debate over the Security Council's referral of the situation in Syria to the International Criminal Court shows that the struggle to hold accountable those responsible for mass atrocities is not behind us. The four briefers have shown outstanding leadership in their efforts to end impunity and advance accountability. People everywhere are in their debt.

The United States has strongly supported the work of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR) since their inception. The two courts have tried more than 200 defendants accused of genocide, war crimes and crimes against humanity, including top political and military leaders. It has been a complex and unprecedented undertaking, yet the Tribunals have demonstrated a commitment to fairness, impartiality and independence. Today we see, as demonstrated by the events in Syria, South Sudan, the Central African Republic and elsewhere, that mass atrocities still pose a challenge to the global community. We also see that the record provided by the ICTY and ICTR provides a warning to leaders that the choices they make and the orders they give can have serious personal consequences.

With the work of the Tribunals now nearing completion, the United States commends the efforts of the Presidents and Prosecutors of both Tribunals to transfer the remaining functions to the International Residual Mechanism for Criminal Tribunals. At the same time, we understand the need for flexibility and recognize that the exact closure dates will depend on the completion of ongoing and soon-to-begin trials and appeals.

Turning to the ICTY, we note with satisfaction that the Tribunal continues to focus on the completion of all trials and appeals, having rendered four appellate judgements between November 2013 and May 2014. We are pleased that the trial of Ratko Mladić is moving forward as forecast and that a judgement in the case of Radovan Karadžić is expected next year. Those two men are accused of being the architects of the Srebrenica genocide, the worst crime committed on European soil since the Second World War. Completing their trials will help to close the book on one of the most painful chapters in the history of the former Yugoslavia. We urge all Governments in the region to continue to work towards reconciliation, to avoid statements that inflame tensions and to continue to bring war criminals to justice in local courts.

Regarding the ICTR, we are pleased that the Tribunal has wrapped up its workload of trials and continues to complete appeals. The Mechanism in

Arusha opened in 2012 and has smoothly taken over most prosecutorial and judicial responsibilities.

The United States remains concerned, however, that nine ICTR fugitives remain at large. Those alleged mass murderers must be brought to trial, and the United States urges all Member States, especially those in the region, to cooperate with the Tribunal in the apprehension of those nine men. The United States continues to offer monetary rewards for information leading to their arrest, whether those individuals are prosecuted in the Mechanism or in Rwandan courts. We are working very closely with the ICTR tracking team, the Rwandan Government and INTERPOL to form an international task force later this year with a view to increasing collaboration in the search for those fugitives. We also call on regional Governments to work with the Tribunal on the relocation of several persons who have been acquitted by the ICTR or have served their sentences, but whose return to Rwanda is problematic.

We see the historic contributions that the two Tribunals have made to international criminal justice. They have brought to justice some of the most vicious criminals in the history of humankind. They have also assembled an historical record that will be publicly accessible and that will protect the truth from those who might in the future attempt to deny or distort it. They demonstrate that the world does not forget. Political and military leaders perpetrating atrocities today should ponder that lesson carefully.

Ms. Ruiz Cerutti (Argentina) (*spoke in Spanish*): Allow me to begin my statement by paying a sincere and well-deserved homage to Mrs. Carmen Argibay, on behalf of my country, Argentina, and of all the women and men who are fighting to eradicate violence of any kind committed against women in times of peace and in conflict situations. Mrs. Argibay passed away on 10 May 2014. She had been a judge on my country's Supreme Court since 2005. She was the first women in the democratic history of Argentina to be appointed to the highest court of justice of our land. One of her first acts was to create a women's office in that court, so that gender-based crimes would not be invisible or enjoy impunity. She introduced into our country and our judicial system something that had been sown at the international level. In June 2001, she was appointed by the General Assembly as an ad-litem judge in the International Criminal Tribunal for the Former Yugoslavia (ICTY). There, she was a pioneer in getting sexual violence committed against women classified as an international crime, as subsequently recognized in the Rome Statute. After she was arrested on 24 March 1976 by the civil-military dictatorship, she worked to ensure that the suffering of the victims and their right to truth, justice and reparations would never be forgotten. I thank you, Sir, for allowing me to pay tribute to her.

I would like to welcome, as always, the presence of Presidents Meron and Joensen and Prosecutors Jallow and Brammertz. I also welcome the presence of Judge Meron in his capacity as President of the International Residual Mechanism for Criminal Tribunals.

I take this opportunity to recognize Chile for its leadership of the Informal Working Group on International Tribunals.

After two decades of work, the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (ICTR) are at the stage of completing their work, during which, according to the completion strategy adopted by the Council, they must complete their judicial work in accordance with the agreed deadlines by transferring cases and archives to the Residual Mechanism.

Argentina would like to recognize the reported progress in the work of the Tribunals and the way in which the Mechanism has begun its work.

As regards the ICTY, we note that court proceedings have been concluded for 141 of the 161 individuals charged and that there are no more cases of fugitives. The Tribunal has made progress in the completion of the nine cases that are pending. Of those, some will continue after the end of 2014. In that regard, it is imperative to take into account the circumstances that might influence the processing times for those cases. One is the remarkable challenge of the loss of or difficulty in retaining qualified staff at this stage prior to the final completion of the Tribunal's functions. We believe that, while resolution 1966 (2010) may have set ideal dates for the transfer of functions to the Residual Mechanism, the judicial function may, in itself, pose challenges owing to the complexity of the cases and the transitional situation that we are in. Therefore, just as it supported the call for the election of an additional judge for the Tribunal to be held expeditiously, Argentina will support the Security Council's renewal of the mandate of the judges and the Prosecutor of the ICTY.

However, my country also hopes the Council will reconsider measures that have already been requested

by the Court and that the General Assembly will then consider the issue in its Fifth Committee. For example, the Court requested the establishment of a working group at the United Nations to provide opportunities to absorb staff from the Tribunal and the granting of a special subsidy to prevent the early departure of such staff, who fear that their posts will be eliminated. Solutions must be provided and we are encouraged that the Informal Working Group on International Tribunals will be considering that issue.

We also appreciate the information provided by the ICTR with regard to the implementation of its completion strategy. The Tribunal has concluded its substantive work with respect to the entirety of the 93 accused, having concluded or being about to conclude the trials and appeals as expected. That leaves only the appeal in the *Butare* case to be concluded in 2015.

We recognize the apprehension of fugitives from the ICTR as a priority. The fact that nine ICTR defendants are still at large is not encouraging. Of those, three are still under the jurisdiction of the Mechanism and the Mechanism is in a position to try those individuals once they are arrested. However, arresting the fugitives — those who are under the jurisdiction of the Mechanism and those who have been transferred to the jurisdiction of Rwanda — will require the cooperation of all States pursuant to the obligations set forth in resolution 955 (1994).

I want to underscore the activities of both Tribunals in cooperating in areas of training in investigative and trial skills, including in sexual, sexist and gender-based violence.

With regard to the Residual Mechanism, Argentina underscores that both the subdivisions of Arusha and The Hague are operating and will be able to fully operate when both Tribunals close. We would like to also express our appreciation to the Government of Tanzania for supporting the Mechanism through the conclusion of the headquarters agreement, which recently entered into force, as well for the facilities provided for building the headquarters. I also want to recognize the support of the Netherlands for The Hague branch.

The international community should continue supporting the Tribunals' work — not only its judicial activities, but also its activities in the lives of those directly affected by that justice system. An important aspect is that of reparations for victims. We welcome the conclusion of a memorandum of understanding with the International Organization for Migration to consider how to address the issue of reparations for victims of the Rwandan genocide. In that regard, the involvement of associations of victims and survivors, civil society and the Rwandan Government is encouraging.

On the other hand, there are also those who have been acquitted of their charges or who have served the sentences handed down by the Tribunal. Finding a State in which to relocate those people and providing them with documentation to fully enjoy civilian life and exercise their rights is a task that the Tribunal has been actively focused on. Although some people have been relocated, for others relocation has been very difficult. Argentina recognizes the importance of work of the Informal Working Group on International Tribunals, which continues to look at that issue to support those efforts. It is also important for the Security Council to encourage all Members of the Organization to do the same.

Commemorating the twentieth anniversary of the genocide in Rwanda and the creation of the ICTR, it is high time that the international community recognize the progress made in the fight against impunity that the ICTR and the ICTY have represented with their important doctrinal contributions to international law, in particular to international humanitarian law, and the role and importance of international criminal justice. Undeniably, the legacy of both ad hoc Tribunals in affirming the international community's awareness that there is no lasting peace without justice has been definitively consolidated with the establishment of a permanent international criminal tribunal — the International Criminal Court — which is today the centrepiece of the international community's criminal justice system as a whole. The system requires the commitment of all States, not just the States parties, as well as the United Nations.

In conclusion, I would once again like to pay tribute to the Judges, Prosecutors and staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia.

Mr. Oh Joon (Republic of Korea): I would like to thank the Russian presidency for holding this important meeting. I would like to also thank the Presidents and Prosecutors of the International Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) and the International

Residual Mechanism for Criminal Tribunals for their respective briefings.

The Republic of Korea appreciates and supports the efforts of the ICTY and the ICTR and the smooth transitioning activities of the Mechanism. We note that, as of now, 161 cases have been handled by the ICTY and 93 by the ICTR. We encourage the correct understanding of ensuring due process and fairness in prosecutions and trials. However, in some cases it has taken longer than expected for the defendant to be indicted and judged, such as in the *Mladić* and *Butare* cases. We would like to stress the importance of speedy completion by quoting the legal maxim: "Justice delayed is justice denied".

We would also like to reiterate the importance of the residual work, such as the nine fugitive cases, contempt and false testimony cases, victims and witness protection and record archiving. To fulfil those mandates, mutual assistance and international cooperation are crucial. We also support resolution 2150 (2014), which calls upon all States to cooperate with the Mechanism in the arrest and prosecution of the remaining fugitives.

In transitioning to the Mechanism, we believe that the Presidents and the Registrars need to focus on the staff's sustainability. The rich legacy of those international criminal justice bodies has to be preserved for prosperity. The ICTY, ICTR and the Mechanism are and will remain symbols of the international commitment to the fight against impunity and the milestone of reconciliation.

Ms. King (Australia): I would like to thank President Meron and President Joensen and Prosecutor Brammertz and Prosecutor Jallow for their thoughtful and informative briefings. I would like to acknowledge their commitment to the cause of international criminal justice. Their effective leadership of the Tribunals that we are discussing today makes a critical contribution to that cause.

This meeting provides us with a timely opportunity to reaffirm the international community's support for the International Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) and for the International Residual Mechanism for Criminal Tribunals and to acknowledge their vital contribution to international criminal accountability.

Established in response to some of the worst atrocities the international community had witnessed since the Second World War, both the ICTY and the ICTR were products of a firm conviction, on behalf of the Council and also the broader international community, that perpetrators of serious international crimes must be held to account for their actions, regardless of rank or position.

Over the past 20 years, the ICTY and ICTR have played a historic role in the fight against impunity, as was recognized by the Council in resolution 2150 (2014), adopted by consensus in April. The groundbreaking jurisprudence produced by the ICTY and the ICTR has been particularly significant, including its contribution to the understanding of sexual violence under international criminal law. Both the ICTY and ICTR recognize that sexual violence can constitute war crimes, crimes against humanity and a constituted act of genocide. That has had a lasting impact on understandings of and responses to sexual violence in situations of armed conflict. We also commend the efforts of both Tribunals to share lessons learned and best practices in the investigation and prosecution of serious international crimes with national authorities and the broader international community, including the International Criminal Court.

We welcome the progress reported this morning towards completion of the Tribunals' mandates, including President Joensen's advice that the huge task of transferring the ICTR's archives to the Mechanism is on track to be completed by the end of this year and that only one appeal in the *Nyiramasuhuko et al. ("Butare")* case is likely to extend into 2015. Similarly, we welcome President Meron's advice on the delivery of two ICTY Appeals Chamber judgements earlier this year and we note his advice of expected delays in some other appeals. We appreciate the ongoing crucial support for the Tribunals from the Governments of the Netherlands and Tanzania and note that the agreement between the United Nations and Tanzania for the Arusha branch of the Mechanism's headquarters has just entered into force.

We share the ICTR's concern about the lack of progress with relocating the nine acquitted and three convicted and released persons still residing in safe houses in Arusha. We appreciate the concerted efforts of the President and Registrar to reach out to States to assist. We urge all Member States to cooperate with the ICTR on that matter and we support further

consideration of how the Council can best support the ICTR's efforts. Like others, we highlight the Council's renewed call in resolution 2150 (2014) for Member States to intensify cooperation with the Mechanism and with the Rwanda authorities to apprehend the remaining nine ICTR fugitives.

Notwithstanding the progress reported today, it is clear that the Tribunals will need to continue working beyond 2014, with some very important cases still before the ICTY. The continued support and cooperation of the international community, including by ensuring that the Tribunals have adequate resources, is essential to ensuring that the Tribunals can achieve the goals the Council has set for them and to secure their lasting legacy.

The Tribunals established by the Security Council we are discussing here today have been instrumental in the recovery process, following the devastating events in 1990s in both the former Yugoslavia and Rwanda. They demonstrate that the Council's role in ending impunity, including through its power to refer situations to the International Criminal Court, is crucial. The current commemoration of the twentieth anniversary of the Rwandan genocide must remain foremost in our minds as we consider and respond to the crises we face today. The devastating impact of the genocide should serve as a continual reminder of the consequences we may face if the Council fails to act to prevent mass atrocities. As we have heard this morning, ensuring accountability is a key element in restoring peace and stability. It is therefore clear that justice and accountability must play a central role in the Council's work.

Tragically, the Council's recent failure to exercise that responsibility in relation to Syria shows that we are not applying the clear lessons of history either consistently or justly. When presented with evidence that mass atrocities are being committed, the international community must unite in its message to those responsible that they will be held to account. More importantly, the Council has the authority to ensure that to be the case, and it should live up to its responsibility to use that authority.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan): We join all other members in welcoming warmly to the Security Council this morning Judge Theodor Meron, Judge Vagn Joensen, Prosecutor Serge Brammertz, and Prosecutor Hassan Bubacar Jallow. We also thank all of them for their important briefings to us and for their reports on the work of the Criminal Tribunals and on the progress made regarding the implementation of the completion strategy in keeping with resolution 1534 (2004).

We have listened carefully to the briefers' thoughts and insights, and we welcome in particular President Meron's willingness to touch upon some broader reflections. Indeed, it is a pity the Security Council, the one non-judicial organ of the United Nations that undoutedly produces law, spends so little to no time evaluating the jurisprudence of the Tribunals. Nor do we try to understand in detail what those courts have revealed over the course of their operations and then decide how best their discoveries can fit into an agreed recognizable formula needed for a permanent peace.

Instead, too much time is spent by us on the technical and administrative details of the work of the Tribunals, and it need not be so. The thematic debate the Council held late last year on the Tribunals (S/PV.7073) provided us with an indication of the sort of deeper analysis the Council can conduct, and indeed should conduct. If we are to focus on the administrative issues, it should only be where the challenges are considerable. I will get to those in a moment.

More fundamentally, we should concentrate on the question of how the work of the two Tribunals can be developed to ensure that their conclusions shape the conscience of the concerned communities. We recognize, of course, that crimes were indeed committed by individuals of all ethnicities, but we understand too that in two of the overall situations covered by the Tribunals, the huge lopsidedness in the overall volume and balance of crimes committed creates no moral equivalences in that respect.

While it is true that the Residual Mechanism, the referrals and subsequent national prosecutions will continue the work done judicially, and that in the years ahead there will likely be further outreach conducted by the United Nations building on the existing programmes, the jurisprudence and the establishment of fact and of truth must still be made to fit much more deliberately into the recovery architecture of the concerned societies. Denials of wrongdoing by a particular ethnic group or other are still detectable in respect of the crimes committed in the former Yugoslavia and in Rwanda, despite the weight of evidence underscoring no grounds for them. Naturally, in the case of the International Criminal Tribunal for the Former Yugoslavia (ICTY), the *Šešelj*, *Karadžić*, *Mladić* and *Hadžić* trials still have to be concluded, and they will very much be part of

the centrepiece of the Tribunal's work. We therefore await the completion of the trials. We also join others in calling for the apprehension of the nine remaining fugitives in respect of the International Criminal Tribunal for Rwanda (ICTR).

Yet even before we end all outstanding criminal proceedings, if we are to achieve a permanent peace among all the concerned societies covered by the work of the two Tribunals there must be a seamless transition from the judicial operations mounted by the Security Council two decades ago to a more structured formation of historical accounts. What do we mean by that? To begin with, well-intended historical commissions need to be established. They need to cement the conclusions of the Tribunals drawn from the decisions handed down in the broader historical narratives. Those narratives must be threaded into precise algorithms designed to draw out a reckoning from the perpetrator and, where applicable, his or her broader community.

Without a genuine signature planted in the register of remorse by those individuals who have done much wrong and by their supporting communities, there can be no permanent peace — a temporary peace, even lasting decades, yes — but no permanent peace. Reckoning opens the gate to human compassion from which a reconciliation of a permanent character can begin to emerge. All of this must then be fed into the national curriculums of the countries concerned, curriculums that must themselves be wholly reconstructed to reflect the truth as they and we can best assess it. We hope that in the future the Council will focus more on these sorts of issues rather than the nitty-gritty of the completion strategies the Tribunals are pursuing.

That said, I began by saying that we should be discussing only the most pressing challenges. We agree with others who have said that those challenges consist, in the case of the ICTY, in finding lasting remedies to the issue of relocating witnesses and in ensuring progress in the category II cases in Bosnia and Herzegovina, and in finding safe and permanent homes for those acquitted, in the case of the ICTR. Those challenges are not rocket science, and they can be resolved; that is simply a matter of continued or expanded burden-sharing and will.

We also completely understand the struggle both Tribunals face on a daily basis as they work to fulfil their mandates while still needing a highly motivated set of skilled professionals at the heart of their operations. We urge the United Nations leadership to think creatively about how to keep these officials in The Hague and Arusha until all remaining decisions have been dealt with. Such issues cannot be beyond our ability to solve.

Finally, we congratulate all four of the briefers on their outstanding achievements and the continuing extraordinary work being accomplished by the Tribunals and the Residual Mechanism.

Mr. Ali Adoum (Chad) (*spoke in French*): I would like to thank Presidents Meron and Joensen and Prosecutors Brammertz and Jallow for their briefings to the Council, and I join previous speakers in commending the work of the ad hoc Tribunals, whose creation is a significant milestone in international relations that has paved the way for a new era in international criminal justice for serious violations of international human rights and crimes against humanity and in which they have made a contribution to international jurisprudence.

The victims of ethnic cleansing, genocide and other serious crimes have found their greatest support in them, however limited the number of cases may have been. Today the international community's expectations of justice are equal to the crimes perpetrated around the world, particularly on civilian populations. The impunity currently enjoyed by the perpetrators of crimes in South Sudan, Syria, the Central African Republic, Somalia and Libya should not undermine those expectations or be interpreted as an admission of powerlessness on the part of the international community, but rather should be seen as a sign that, more than ever, we must unite in order to find more effective ways of combating it.

Africa, where the worst of these atrocities are committed today, has an enormous task before it if it is to enjoy the benefits of peace and security without which overcoming its underdevelopment would be impossible. To achieve that, Africa has to be able to show that no crime committed on its soil shall go unpunished by making the ideal of justice its own, particularly for the generations dedicated to the demon of war. But there is a price to pay for justice, which should not be a reason to renounce it. The Special Court for Sierra Leone, created in 2002 and intended to last three years, did not truly accomplish its mission until 2013, long after the duration originally envisaged and having exceeded its initial budget four times over.

While the International Criminal Tribunal for Rwanda (ICTR) approaches the end of its mandate, the International Tribunal for the former Yugoslavia

(ICTY), on the other hand, will be unable to close its doors according to schedule owing to various judgements and arrests still under way, some of which will not be resolved until 2015 or 2017. That is clearly a setback to the established completion strategy. The fact that some principal perpetrators were not arrested until 2011 and the complexity of some cases explains most of these delays.

Apart from these difficulties, there have been some achievements since the last report, in December 2013 (S/2013/363), both in the framework of proceedings and in the execution of the completion strategy. New judgements and arrests have been made. The archives are being transferred. External relations have improved thanks to efforts to promote openness. Efficient use of staff, the activities of the Informal Working Group on International Tribunals and follow-up on cases both at trial and on appeal have resulted in gains both in time and means.

Furthermore, the transfer of cases and functions to national jurisdictions has gone smoothly, and the jurisdictions of the countries of the former Yugoslavia have cooperated well with the ICTY in trying mid-level and lower-level accused persons, except in some cases such as in Bosnia and Herzegovina. These jurisdictions continue to benefit from the support of the ICTY, particularly in strengthening their capability for trying international crimes. However, many questions are still hanging, chief among them the delays in meeting the completion strategy deadline.

Furthermore, the issues of witness protection and delivering support to the victims remain a major concern. Persons who have been acquitted or who have served out their punishment for the genocide in Rwanda have been unable to find countries willing to host them, and it is vital that we find a suitable solution to such enduring problems. It is deeply regrettable that the nine persons wanted by the ICTR have remained at large despite the search efforts of the International Residual Mechanism for Criminal Tribunals and the Tribunal itself. This situation emphasizes how weak the cooperation of States has been, a fact highlighted by most of today's speakers, particularly those in the areas of the Great Lakes region and southern Africa, where the search has been focused. The search for the three principal fugitives should receive special attention from the United Nations and the entire international community so that nobody, anywhere, suspected of genocide has the chance to find asylum.

The activities promoting awareness and information for the public on the role of the International Criminal Tribunals and international criminal law are very important, as much for ensuring that memories are kept alive as that justice is delivered to the victims, but the lack of financing threatens to put obstacles in the way of preserving these gains.

There are many difficulties on the road to completion of the ICTY's mission, but they should never undermine the hopes that have been born of international justice and the role it can play in maintaining international peace and security. On the other hand, the only case currently active in the ICTR will not be finished until 2015. The Tribunal should therefore take all necessary steps to complete its work on schedule, while taking into consideration the comments of the Rwandan Government.

The President (*spoke in Russian*): I will now make a statement in my national capacity.

I too would like to thank the Presidents and Prosecutors of the International Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) and the International Residual Mechanis for Criminal Tribunals for their participation and their briefings.

Unfortunately, an acquaintance with the periodic reports of the ICTY and ICTR once more emphasizes the lack of progress both in the Tribunals' approach to their activities and in their completion and transfer of their secondary functions to the Residual Mechanism. At the beginning of the year, the ICTY issued appeal judgements in the *Đorđević* and *Šainović* cases. Indictments have been handed down against the backdrop of the recent acquittal in the very similar *Perišić* case.

In our view, problems have arisen that have a significant bearing on international criminal justice, involving in particular legal certainty and the application of a single standard of justice for all. Such an approach to judicial activity hardly enhances the legacy of the ICTY. There have been ongoing deferrals of the hearings in the *Stanišić*, *Župljanin* and *Šešelj* cases. We understand that the current situation is the result of the disqualification of Judge Harhoff. Nevertheless, we also understand that it is now time to overcome the consequences of that problem. We should not like to see his recusal become a long-standing pretext for dragging out the work of the ICTY. In that regard, I

recall the recent election of an additional judge to the ICTY. According to the Tribunal's report, that judge is working on only one case, while it had been planned that he would be assigned a heavier workload. The question arises as to whether it was genuinely necessary to add a judge to strengthen the personnel and effectiveness of the ICTY?

With respect to the ICTR, the time when that body was a model for the swift conclusion of its mandate has come and gone. Unfortunately, efforts to shorten the time frames for the consideration of the *Butare* case have not borne fruit. Against that backdrop, we rightly hope that there will be no new excuses for prolonging the activities of the ICTR. We recognize the gravity — first and foremost for the States of East Africa — of the issue of the resettlement of individuals acquitted in cases before the ICTR. That is a humanitarian problem. We support the efforts of the ICTR management and the Residual Mechanism in that respect, and call on them once again to pursue their work with a view to maximizing effectiveness.

The function of resettling acquitted individuals in safe countries should be transferred to the Residual Mechanism by the end of this year. The Tribunal's management would appear to understand that. We would warn against attempts to draw out the ICTR's work by retaining on its docket the so-called technical cases involving contempt of court or false testimony in cases that have already been transferred to the Residual Mechanism. Pursuant to resolution 1966 (2010), such cases should also be transferred expeditiously to the Residual Mechanism. No new Security Council resolution is needed to that effect. We stress once again that we remain committed to strict compliance with resolution 1966 (2010) and are not ready to consider reopening it under any pretext. We suggest that the work on transferring the archives to the Residual Mechanism should already be in full swing. No one is stopping the ICTR from starting to implement the liquidation plan, which is not dependent on the conclusion of the *Butare* case.

It has become very clear, as we approach the watershed moment for the Tribunals at the end of 2014, that attempts to establish pretexts for their ongoing functioning would taint the backdrop for December's discussions. Continuing the Tribunals' activities beyond 2014 would require independent external experts to look into the true state of affairs in the Tribunals in order to make specific recommendations to address the situation. We are pursuing relevant work to that end with our colleagues in the Fifth Committee. We hope that by the end of the year we shall be able to avert any excessive complications.

I now resume my functions as President of the Security Council.

I give the floor to the representative of Croatia.

Mr. Drobnjak (Croatia): At the outset, I would like to welcome the Presidents of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), Judges Meron and Joensen, as well as Prosecutors Brammertz and Jallow, and to commend them for their important work.

We appreciate their briefings and comprehensive reports (S/2014/343, S/2014/350 and S/2014/351) on the work of the Tribunals and the International Residual Mechanism for Criminal Tribunals for the reporting period.

In the course of the 21 years since it was established, the ICTY has been highly praised for its remarkable achievements, as well as criticized, more than once, justifiably or not, with occasionally even its very existence put under question. So, it could be said that the important legacy of the Tribunal is still being scrutinized and is not entirely without flaws. However, that should in no way tarnish the historical record of the Tribunal, but should rather serve as an important lesson learned for the benefit of international criminal justice.

Croatia has been among those who have occasionally voiced criticism of the Tribunal. Nevertheless, we strongly believe that the ICTY has played an important historical role in the region and beyond, and we praise its work.

In that context, I would like to point out the following matters.

The establishment of the ICTY represented a breakthrough in the development of international criminal law. It has made valuable progress in the last two decades in improving international criminal procedures and in narrowing the impunity gap for international crimes. The experiences of the ICTY and ICTR were the starting point for the creation of the International Criminal Court (ICC), the work of which Croatia strongly supports.

The practice of the ICTY is important for the interpretation of international humanitarian law. In

that respect, we would like to particularly emphasize the contribution to international jurisprudence on sexual violence, as mentioned today by Prosecutor Brammertz. Before the establishment of the ICTY and the ICTR, sexual violence was a marginalized issue in international law. The ICTY established case precedents for the prosecution of rape as a crime against humanity, a war crime and an act of torture.

The ICTY has played an important part in establishing a judicial network for dealing with war-crime cases in the States that emerged from the former Yugoslavia. It was a paramount instrument against the culture of impunity, setting high standards of responsibility for war crimes, crimes against humanity and genocide. That has not only helped national courts to increase the quality of war-crime proceedings, but has also led to a general rise in legal awareness and the quality of the judiciary.

Last, but not least, let us not forget that the ICTY was established under resolution 877 (1993), unanimously adopted by the Security Council, under Chapter VII of the Charter of the United Nations, as a response to gross violations of human rights and humanitarian law and the horrendous scale of atrocities and human suffering. The Tribunal was created because it was the right thing to do, and there was sufficient political will on the part of the international community.

Can we say today that the same will is present in 2014 when we deal with war crimes and crimes against humanity in other parts of the world?

Croatia advocated for the establishment of the ICTY from the very beginning. We strongly supported the main purpose of the ICTY — the prosecution and punishment of individuals responsible for acts of genocide, war crimes and crimes against humanity, as well as the delivery of justice for the victims of those crimes. Croatia also supported the Tribunal's more global functions aimed at the restoration and maintenance of peace and stability in the region as well as the promotion of justice.

We believed then, as we believe today, that it is of the utmost importance to put an end to the culture of impunity and to ensure accountability for the most serious crimes, wherever they have been committed. It is precisely because of our own difficult experience that we believe that accountability should be ensured for the most serious crimes under international law, which are now being committed in ongoing conflicts, especially in Syria. That is why we rendered our support to the initiative for the referral of that situation in Syria to the ICC.

One must always keep in mind that the Tribunal provided the victims the opportunity for their voice to be heard and their suffering to be recognized, respected and eased. Unfortunately, the establishment of the Tribunal did not stop or prevent future war crimes, including the genocide in Srebrenica, the worst massacre to occur on European soil since the Second World War. However, due to the existence of the Tribunal, some of those responsible for the crimes have been brought to justice. The voices of the victims are being heard and historical records established. That is not a small achievement.

In conclusion, Croatia welcomes the results achieved by the ICTY to date, especially the fact that all those indicted by the Tribunal have been arrested and transferred to its custody. However, the work of the Tribunal is not over yet. Some of those most responsible for the carnage, deaths and suffering are still waiting for the verdicts to be rendered. We hope that that will happen soon. Finally, let me reiterate our undisputable support for the work of both Tribunals.

The President (*spoke in Russian*): I give the floor to the representative of Bosnia and Herzegovina.

Mrs. Anđelić (Bosnia and Herzegovina): At the outset, allow me to welcome the Presidents and Prosecutors of both Tribunals and the International Residual Mechanism for Criminal Tribunals. I would also like to thank them for their comprehensive briefings on the activities of the Tribunals and the Residual Mechanism. Let me underscore the significant contribution of all the staff of the Tribunals and commend their efforts in the successful work and completion of the Tribunals' mandates.

Bosnia and Herzegovina welcomed the establishment of the International Tribunal for the Former Yugoslavia (ICTY) and has supported its work since the beginning. We have continuously increased our level of cooperation with the ICTY, including the Office of the Prosecutor, and will continue to do so. We hope that good cooperation with the Office of the Prosecutor of the Residual Mechanism will continue, as well. It is very important for the Tribunal to accomplish its completion strategy and transition to the Residual Mechanism. In that regard, the Mechanism should be able to undertake all necessary administrative and judicial work. We

welcome the decision that the Mechanism's staff should include nationals of 46 States, including Bosnia and Herzegovina.

With the aim of ensuring the prosecution of all suspected war criminals in the courts of Bosnia and Herzegovina, we continue to strengthten the justice system at both the State and the local levels. In 2013, the Constitutional Court of Bosnia and Herzegovina submitted 80 proposals for the transfer of proceedings to entity Prosecutor's Offices and courts. During the same year, 67 war crimes cases were referred from the entities and Brcko District to the Constitutional Court. Currently, 91 cases are being assessed as to the complexity of the war crimes. As of 4 February, the Office of the Prosecutor of Bosnia and Herzegovina was dealing with a total of 352 of the most complex war crimes cases against 3,309 individuals. The Prosecutor's Office estimates that the most complex war crimes cases will have been processed and completed by 2018.

Bosnia and Herzegovina adopted the National War Crimes Strategy on 29 December 2008, which was followed by the establishment of its implementation monitoring body in 2009. The majority of the Strategy's goals have been fully or partially implemented, but with a delay in the deadlines. The institutions at all State levels are participating in implementing the Strategy. To that end, we welcome the support of the European Union in the implementation of the Strategy's goals.

Both the ICTY and the International Criminal Tribunal for Rwanda have contributed to classifying sexual abuse as a crime against humanity. As a result, sexual abuse has become an integral part of the Statute of the International Criminal Court. Female judges and women in senior positions at the respective Office of the Prosecutor have made significant contributions to the effective prosecution of cases of sexual violence against women. In that respect, we welcome the decisions that 56 per cent of the Mechanism's professional staff and 53 per cent of its total staff should be women. Furthermore, we welcome the assistance of UN-Women, which sponsored a programme on prosecuting crimes of sexual violence.

The Tribunals' initiatives on support to and contact with victims' associations, such as during the conference in Sarajevo in November 2013, are steps in the right direction because victims and their families have waited long enough and, in some cases, are still waiting for the opportunity of redress and closure.

In order to preserve the records and archives of the ICTY and to ensure their accessibility in the future, we have proposed that an information centre be located in Bosnia and Herzegovina. That would have a very symbolic significance in serving future generations and as a constant reminder that violations of human rights and international humanitarian law should never be repeated. Today, information technology makes it possible for there to be no difference between the headquarters and branches of the information centre. We welcome the interest of Croatia and Serbia in such a project. We would like to encourage other countries in the region and beyond to participate in supporting the project. The legacy of the ICTY does not belong only to the countries concerned but to all humanity as the reminder and testimony of the justice achieved. We believe that the issue deserves further consideration in the spirit of regional cooperation and the inclusiveness of the United Nations.

Bosnia and Herzegovina continues to promote regional cooperation, most recently by signing the Protocol on Cooperation in Prosecution of Perpetrators of War Crimes, Crimes against Humanity and Genocide with Montenegro on 26 April. That followed the signing of the protocols on the exchange of evidence and information on war crimes, concluded between the Office of the Prosecutor of Bosnia and Herzeg vina and the Office of the Prosecutor of Serbia in January 2013 and the Office of the Prosecutor of Croatia in June 2013. The protocols define the channels for concluding any investigations concerning citizens of other countries.

The President (*spoke in Russian*): I now give the floor to the representative of Serbia.

Mr. Milanović (Serbia): Let me begin by welcoming the Presidents and the Prosecutors of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), two of whom are also officials of the International Residual Mechanism for Criminal Tribunals. I thank them for the reports that they submitted (S/2014/350, annex, and S/2014/313, annex), which we studied with great attention.

At the outset, I would like to express our appreciation of the acknowledgement of the continued high level of cooperation of the Republic of Serbia with the ICTY that the President and the Prosecutor mentioned in their reports. A partial testimony to that is the fact that there are no remaining fugitives and that

most of the 3,500 requests for assistance received from the Office of the Prosecutor or the defence counsels in accessing documents, archives and witnesses have been processed, with only those of a more recent date pending.

In that vein, I would like to express the commitment of the new Government of Serbia to continuing that successful cooperation with the ICTY and with the International Residual Mechanism. We hope that the remaining proceedings will be completed as planned, in particular given the duration and problems in completing certain cases, the length of detention of some indictees and the delay in appeal judgements in the cases of a number of sentenced persons.

Serbia is determined to make a contribution to regional peace and reconciliation in the firm belief that, to that end, the quest and respect for justice and fairness are of vital importance. We consider that, in that regard, regional cooperation is very important and that it must continue to be a priority.

We would therefore like to point out that the progress that has been achieved over the past year in the field of regional cooperation by Serbia in trying war crimes has been highlighted in the progress report on Serbia by the European Commission for 2013. Overall, 82 new pieces of information and evidence have been exchanged in cases of war crimes in the region, the highest progress recorded in regional cooperation so far. That cooperation is based on bilateral cooperation protocols between the prosecutorial offices of Serbia, Bosnia and Herzegovina and Croatia, as stated in the reports.

I would like to make special mention of the cooperation with the Prosecutor's Office of Bosnia and Herzegovina, due to which six new indictments have been raised. The cooperation in the exchange of data, information and evidence is taking place in 38 cases of war crimes and other criminal offences against international law through liaison officers in the two prosecutorial offices. Similarly, the cooperation with the State Attorney's Office of Croatia has been improved and should lead to the identification of new indictments. We are convinced that the new proceedings for war crimes will bring justice to a great number of victims.

To that end, the trying of war crimes within national jurisdictions is of paramount importance. In Serbia, the number of the cases tried in domestic courts has increased considerably in the most recent period. The assistance provided to national judicial authorities by the Office of the Prosecutor for the purpose of strengthening national capacities has been very important. Special mention in this context should be made of the European Union/ICTY training project for national prosecutors and young professionals from the former Yugoslavia.

As I stated at the previous Security Council debate six months ago (see S/PV.7073), bearing in mind that Serbia is firmly committed to cooperation with the ICTY and the fact that 20 years have elapsed since its establishment, my country attaches great importance to the initiative that those convicted by the Tribunal in The Hague be allowed to serve their sentences in the States that emerged in the territory of the former Yugoslavia. In that context, let me recall that, since 2009, Serbia has requested to sign such an agreement with the ICTY and sought very actively to promote the initiative all along. Its officials have written to the United Nations and the ICTY on a number of occasions yet, regrettably, no progress has been made due to the fact that this question continues to be determined by the recommendation of the Secretary-General to the Security Council of May 1993, which states that the enforcement of sentences should take place outside the territory of the former Yugoslavia.

Without prejudging the recommendation of the Secretary-General and bearing in mind President Meron's statement in his report to the effect that the International Residual Mechanism is actively working to secure additional agreements to increase its enforcement capacity and welcomes the cooperation of States in that regard, Serbia would appreciate an opportunity to sign such an agreement.

Let me repeat that the results of the cooperation with the ICTY over the years indicate that my country takes this question seriously and that it is ready to accept international supervision of the enforcement of sentences and to provide all necessary guarantees. Let me also recall that the Republic of Serbia signed, on 20 January 2011, an agreement on the enforcement of criminal sentences with the International Criminal Court. Under the agreement, persons convicted before the Court for war crimes, crimes against humanity and genocide may serve their sentences in Serbia. My country has been the first country in South-East Europe to sign such an agreement, with the United Kingdom,

Austria, Belgium, Denmark and Finland being the only ones that did so before it.

I would like to take this opportunity to reiterate the readiness of Serbia for, and its interest in, addressing the question of the ICTY archives. We advised the Security Council of our official position on the matter in October 2008. My country is ready to participate actively in all future discussions and to continue to cooperate with the Informal Working Group on International Tribunals on this question. Also, as in the past, Serbia is ready to fulfil its obligations resulting from cooperation with the ICTY and the International Residual Mechanism.

Let me conclude by expressing my country's satisfaction concerning the progress made in the establishment of the operational capacities of the branch of the International Residual Mechanism in The Hague over the past year. A successful commencement of work is of key importance to the implementation of the mission of the ICTY in accordance with its mandate, in particular in enabling the continued work of national judiciary in prosecuting war crimes. The international judicial system has a key role to play in the process and is duty-bound to make a contribution through full respect for international norms, human rights and the right to a fair hearing and defence. Let me point out once again that Serbia is committed to regional peace, stability and reconciliation.

The President (*spoke in Russian*): There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.05 p.m.

United Nations S/PV.7193

Security Council

Sixty-ninth year

Provisional

7193rd meeting
Monday, 9 June 2014, 10 a.m.
New York

President:	Mr. Churkin	(Russian Federation)
Members:	Argentina	Ms. Poroli
	Australia	Mr. White
	Chad	Mr. Cherif
	Chile	Mr. Llanos
	China	Mr. Shen Bo
	France	Mr. Bertoux
	Jordan	Mr. Hmoud
	Lithuania	Mr. Kalindra
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Republic of Korea	Ms. Paik Ji-ah
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

Non-proliferation

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14-42404 (E)

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2014/395, which contains the text of a draft resolution submitted by the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Argentina, Australia, Chad, Chile, China, France, Jordan, Lithuania, Luxembourg, Nigeria, Republic of Korea, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America

The President (*spoke in Russian*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2159 (2014).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.10 a.m.

United Nations S/PV.7194

Security Council

Sixty-ninth year

Provisional

7194th meeting
Monday, 9 June 2014, 10.10 a.m.
New York

President:	Mr. Churkin	(Russian Federation)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. White
	Chad	Mr. Cherif
	Chile	Mr. Llanos
	China	Mr. Shen Bo
	France	Mr. Araud
	Jordan	Mr. Hmoud
	Lithuania	Mr. Kalindra
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Laro
	Republic of Korea	Ms. Paik Ji-ah
	Rwanda	Mr. Gasana
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

The situation in Libya

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14-42410 (E)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in Russian*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Tarek Mitri, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda. At this meeting, the Security Council will hear briefings by Mr. Tarek Mitri and Mr. Eugène-Richard Gasana, Permanent Representative of Rwanda, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011).

I now give the floor to Mr. Mitri.

Mr. Mitri: There is a continuing sense of concern among the Libyan people regarding the prospect of a protracted conflict. The crisis that has dominated the political scene for the past few months poses a threat to the country's political transition. Following a decision by the General National Congress to endorse the new Cabinet of Mr. Ahmed Maiteeq on 26 May, the Government of Abdallah al-Thani, acting as caretaker, refused to hand over power, citing procedural irregularities. This morning, Libya's Supreme Court ruled that the election of Mr. Maiteeq was unconstitutional, opening a way out of the institutional crisis. The need to respect that ruling should be affirmed. The initial reaction in Tripoli, half an hour ago, to the court ruling is positive. The second deputy president of the Congress, Salah Makhzoum, and Maiteeq himself both announced separately that they will comply with the decision.

Also, there were significant security developments in the past few weeks. Foremost among those have been the move by retired general Khalifa Haftar in mid-May to mobilize some units of the Libyan national army and other tribally affiliated armed groups against groups that he has labelled as terrorists and blamed for much of the violence and targeted assassinations in Benghazi and other areas of eastern Libya. The military operation, dubbed Operation Libya Dignity, elicited some expressions of support. But there are also those who accuse General Haftar of seeking to unseat the legitimately elected institutions of the State and using the threat of terrorism as a pretext to stage what they call a coup d'état.

In previous briefings to the Council, I could not understate the risks of the growing and dangerous security void in Libya. Hundreds of Libyan citizens — mainly security personnel, but also judges, journalists and other civilians — have been the victims of a systematic and unrelenting campaign of targeted assassinations and other acts of aggression. However, any viable long-term strategy aimed at addressing that phenomenon and rooting out terrorism cannot be born out of unilateral and external initiatives, nor can it be limited to military solutions. There should be an end to the violence inflicted on the civilian population of Benghazi. There is no doubt about that. That is why the United Nations Support Mission in Libya (UNSMIL) reiterates its condemnation of attacks against civilians, whoever their perpetrators.

In Tripoli, the crisis over the appointment of a new Prime Minister has accentuated since February the strong political polarization in the country. Tensions have given way to intermittent clashes on the streets of the capital between rival brigades and other armed groups under the nominal control of the Libyan authorities. On 18 May, armed groups forcibly entered the grounds of the General National Congress in order to prevent the Congress from pressing ahead with the election of a new Prime Minister.

Strong political disagreement over the functioning of institutions and their legitimacy has revealed mutual distrust among the main political protagonists. The radicalization of positions on both sides of the political divide was further exacerbated by accusations of seeking power by all means and suspicions of growing external interference in favour of the adverse party.

Notwithstanding the political and security crisis that has engulfed Libya, the constitutional process has made considerable progress since my briefing to the Council in March (see S/PV.7130). On 21 April, the General National Congress convened the first session of the Constitutional Drafting Assembly in Al-Bayda. Following an opening ceremony, the members elected their chair, deputy chair and rapporteur and adopted

rules of procedure. The Assembly is currently developing its committee structure, work plans and public outreach plans. UNSMIL stands ready to provide technical assistance at the request of the Assembly and continues its efforts to coordinate international support for the constitutional process.

In my most recent briefing, I described how boycotts and security problems disrupted the election of the Constitutional Drafting Assembly in February and left 13 seats unfilled. In the intervening period, eight of those seats have been filled through additional rounds of polling. Efforts by the Assembly itself are under way to ensure that all areas of Libya and all components — as they call them in Libya — of Libyan society are represented in the work of the Assembly.

In joint partnership with a range of women's organizations, UNMSIL has launched a women's dialogue initiative to engage with the media and religious, political and societal actors in a public debate on constitutional issues of particular significance to women.

The High National Election Commission of Libya is now preparing, with United Nations technical support, the election of the 200-member council of representatives that will succeed the General National Congress. The total number of registered voters reached 1.5 million. A total of 1,714 candidates have registered, including 152 women, contesting 32 reserved seats. Polling is expected on 25 June. We have called on all parties to ensure that elections are held in a peaceful atmosphere and not delayed. It is hoped that the elections will augur, with confidence and popular interest, a third phase of the transition process before a new constitution is approved.

The security situation continues to impede the proper functioning of the justice system. Courts have stopped working for prolonged periods in Derna, Benghazi and Sirte in protest at the continuing attacks on prosecutors and judges, among other State officials. Although the General National Congress extended to 2 April the deadline for completing the judicial screening of detainees in compliance with the law on transitional justice, that task remains outstanding. Figures collected by the Ministry of Justice, with United Nations assistance, indicate that in early March around 6,200 inmates remained held in facilities under the authority of the judicial police, of whom only about 10 per cent had been tried.

The trial of 37 former regime officials, including Saif Al-Islam Al-Qadhafi and Abdullah Al-Senussi, has begun at the Tripoli Court of Appeals. That trial is a crucial test for Libya's willingness and ability to conduct fair trials. UNSMIL has voiced concerns about difficulties in ensuring full legal representation for all defendants and proper access by lawyers to the case files and to their clients. Recently, the Court appears to be in the process of addressing such matters.

UNSMIL has visited all defendants, with various levels of supervision, in Tripoli, as well as in Misrata and Zintan. UNSMIL, however, has been denied access to other detainees held in the Al-Hadba prison on grounds that they have not been charged. I have strongly protested the brief detention in Al-Hadba of an UNSMIL senior staff member attending, as an observer, the trial session of 11 May and the false accusations levelled against him. UNSMIL received oral apologies and assurances from the Libyan authorities of their commitments to respecting the status-of-mission agreement between Libya and the United Nations. However, the personal effects of our staff have not been returned. Therefore, I decided to suspend the attendance of our staff at other trials in Al-Hadba until the case of our colleague is fully resolved.

More recently, on 4 June four UNSMIL staff members, upon their return from Al-Bayda, were detained by the airport security authorities and ill-treated. During their detention, which lasted more than an hour, false accusations against them once again were cited. Their release occurred after the intervention of the Ministry of the Interior, at my request. I protested and reminded the Libyan authorities, once again, of their obligation to respect the mission agreement signed with UNSMIL.

The current situation in Libya has inevitably slowed the process of security sector rebuilding and reform. Nonetheless, there has been some progress in developing the operationalization of the Rome conference security compact. Assistance is given to the Ministry of Defence committee in preparing a defence policy and strategy and in ensuring proper management and security of arms and ammunition. However, the Rome security compact also included measures to establish proper governance of the security sector, a recommendation we have made time and again, including the difficult issues of disarmament and reintegration of the armed groups. So far there has not been any sustainable progress in that regard.

Today the United Nations is called on to continue facilitating a political dialogue among all parties. That is more crucial than ever before. To that end, I have redoubled my efforts to urge all parties in Libya to resolve the present political impasse through peaceful means, and to impress upon them that resorting to the use of force will have disastrous consequences for the country.

Following consultations with all concerned parties, I will be convening, within the next 10 days, a meeting that will bring together some 50 representatives of the major actors — political leaders, revolutionaries, tribal figures, civil society, personalities and women. The aim of that political dialogue conference is to forge an agreement on the principles of political interaction, on national priorities during the remainder of the transition and on ways of addressing immediate security and otherwise divisive issues. The stakes are high, and we will spare no effort in helping prevent Libya's descent into greater instability and violence.

The President (*spoke in Russian*): I thank Mr. Mitri for his briefing.

I now give the floor to Ambassador Gasana.

Mr. Gasana (Rwanda): In accordance with paragraph 24 (e) of resolution 1970 (2011) of 26 February 2011, I have the honour to report to the Security Council on the work of the Committee established by that resolution. The report covers the period from 10 March to 9 June 2014, during which time the members of the Committee met twice in informal consultations.

In my last briefing to the Council (see S/PV.7130), I reported on the final reports of the Panel of Experts and that the Committee had agreed to take follow-up actions on 9 of the 15 recommendations of the Panel. I would now like to recall that, during the informal consultations of 2 June, the Committee further agreed to establish a procedure to address incomplete arms embargo exemption notifications, which was also the subject of an additional recommendation of the Panel, bringing the number of recommendations to which the Committee agreed to follow up on to 10.

That follow-up action has thus far consisted of the following. Three recommendations relating to arms procurement by Libya were addressed by a bilateral meeting I held with the Permanent Representative of Libya to the United Nations on 12 March and by informal consultations of the Committee on 2 June, with the participation of the Permanent Representative of Libya, on which I will elaborate later on.

One recommendation aimed at requesting the Permanent Representative of Libya to update the names of authorized officials in the Libyan focal point for arms procurement required no follow-up, as the Permanent Representative of Libya provided that information on 20 March before the Committee wrote to him.

Therefore, follow-up action on six recommendations is currently pending before the Committee. On 18 and 27 March, as well as on 12, 16 and 20 May, respectively, a Member State informed the Committee about the dates and locations of the delivery of parts of previously notified transfers to Libya.

On 18 March, the Committee received a letter from the Chair of the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, and the Committee established pursuant to resolution 1988 (2011), relating to an initiative to implement the travel ban measure more effectively through cooperation with the World Customs Organization.

On 3 April, the Committee received a letter from the Under-Secretary-General for Political Affairs, proposing six members to serve on the Panel of Experts on Libya.

On 11 April, the Committee received a second letter from the Chair of the aforementioned Committee and the Committee established pursuant to resolution 1988 (2011), concerning procedures for requesting relevant Member States to submit biometric data on individuals on the Committee's list.

On 16 April, the Committee received a report from a Member State about the loss in Libya of part of a shipment of arms and related materiel, an exemption for which had previously been approved by the Committee.

By letter dated 6 May, the Committee invited the Permanent Representative of Libya to attend a meeting of the Committee to discuss the Panel's recommendations relating to arms procurement by Libya, as well as two pending incomplete notifications under paragraph 13 (a) of resolution 2009 (2011).

On 9 May, the Committee received a report from the Secretariat on the inter-panel coordination workshop that took place from 17 to 19 December 2013.

On 20 May, the Committee received a letter from the Permanent Representative of Libya to the United Nations, informing the Committee of the creation of two focal points for arms procurement for the Ministry of the Interior and the Ministry of Justice, in addition to the Military Procurement Department, which, according to the letter, continued to serve as focal point for the Ministry of Defence.

In informal consultations on 29 May, the Committee received an update from the reappointed Panel of Experts. The Panel updated the Committee on its activities since the presentation of its final report (see S/2014/106, annex). The Panel presented its travel plans for the present mandate, expressed concern about the tense security situation in Libya and informed the Committee about a fraudulent company currently reaching out to Member States, claiming to be authorized to recover frozen funds on behalf of Libya and transmitting a forged Libyan Government decree no. 378 to that end. Also in informal consultations on 29 May, the Committee discussed the new composition of the Panel of Experts.

On 30 May, the Committee received an inspection report from a Member State, in line with paragraph 13 of resolution 1970 (2011) and paragraph 15 of resolution 1973 (2011).

The Committee's informal consultations on 2 June involved the participation of the Permanent Representative of Libya to discuss issues relating to the arms embargo. While some Committee members appreciated Libya's strong efforts to implement the arms embargo in challenging circumstances and pointed to the need for practical and implementable solutions, others raised concern about the implications of a lack of a single, unified procurement mechanism in the current security situation and called for a single focal point superseding individual ministries. The Permanent Representative of Libya recognized the difficulties in having multiple focal points, but also noted that this was the best option for the current situation, as Libya lacked the capacity at this point to implement a single superseding structure.

The Panel of Experts saw a high risk of the diversion and misuse of weapons in the current situation and reported that ongoing transfers of weapons to Libya were likely to have a detrimental effect on the security situation in the country, with some uncertainty about exact end-users of notified materiel and about the control of territory, including air and sea ports. The Committee will continue its engagement with Libya on the setting-up of arms procurement procedures and responsibilities, with a view to providing any assistance that it can.

Lastly, I should like to provide some updated statistics on the issues dealt with by the Committee since the last periodic report to the Council. In relation to the arms embargo, the Committee approved three exemption requests and received two notifications, on which no negative decision was taken. Also in relation to the arms embargo, the Committee responded in one case that did not require notification, citing paragraph 10 of resolution 2095 (2013), and replied in three cases that the notifications were incomplete. The Committee further received two addenda to an implementation report previously submitted by a Member State.

The President (*spoke in Russian*): I thank Ambassador Gasana for his briefing.

I now give the floor to the representative of Libya.

Mr. Dabbashi (Libya) (*spoke in Arabic*): At the outset, I would like to commend you, Mr. President, for presiding over the Council for the month and to wish you and your delegation every success in carrying out the Council's affairs.

I also thank Mr. Tarek Mitri, Special Representative of the Secretary-General for Libya, for his comprehensive briefing, as well as Ambassador Gasana, Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya, for his report.

For over 42 years, Libya suffered under a dictatorship based on chaos, non-functioning institutions and an entrenched one-man authority that demanded unchallenged obedience. The situation led to complete political apathy on the part of the Libyan people and fostered a lack of interest among the majority in the affairs of decision-making institutions, even after the revolution. Unfortunately, some politicians and leaders of armed groups have taken advantage of the situation to appoint to high positions certain individuals who lack the necessary credentials and experience. They have also engaged in governmental procedures that contravene good governance, thereby exacerbating the problems inherited from the former regime and deviating the 17 February revolution from its primary purpose.

The Libyan people have lost all patience in the past month, nearly three years after the revolution and

the end of the dictatorship. Despite available assets and human resources, the Libyan people's aspirations remain unfulfilled, except for the freedom of expression, which has been heavily compromised in the past month due to a campaign of threats, intimidation, blackmail, abduction and assassination. Journalists and political and legal activists have been subjected to that campaign in the absence of security and military forces, and due to the reluctance of judges to undertake their duties because they fear for their lives.

The United Nations Support Mission in Libya (UNSMIL) has made great efforts over the past two years to help the Libyan people overcome difficulties and achieve the transition in an easy, seamless manner. However, despite its tremendous role in organizing and conducting elections, the support it has provided to civil society organizations, and its demining and elimination of war remnants, Libya has not achieved its political aspirations. That is not due to any malfunction of the Mission or its leaders, for whom we have much respect and appreciation. Instead, it is due to the Libyan political leaders' lack of will to seek assistance from the Mission, as well as to the absence of Libyan institutions that could receive and implement support in different sectors.

The Libyan people are grateful for the support they have received from the Security Council over the past three years. They now seek more practical support from Council members and from all friendly countries to overcome the remaining months of the transitional period in order to establish an elected Government in accord with the permanent constitution that we hope to adopt before the end of this year. Notwithstanding the work done by UNSMIL pursuant to its mandate and the excellent assistance it has provided and continues to provide, especially in the fields I have mentioned, we hope to achieve certain pressing priorities with the practical assistance of the Security Council UNSMIL to the Libyan authorities. Our priorities are as follows.

First, we encourage all Libyan institutions to create an environment conducive to conducting parliamentary elections on 25 June in an atmosphere of peace and security.

Secondly, we wish to assist the new Parliament in assuming and exercising its duties in an appropriate manner that is in keeping with democratic practices by adopting clear rules of procedures, ensuring the separation of the legislative and executive powers, and organizing workshops for the new parliamentarians on parliaments and how they run.

Thirdly, we must help the new Parliament and resulting Government to immediately reorganize the Libyan army in accordance with international standards, provide it with the proper arms, assume control over all military camps and bases, disarm and dismantle all armed groups, find work for the unemployed in the various State institutions, according to their merits, and criminalize the unauthorized carrying of weapons.

Fourthly, we must help local governance bodies to establish local administrations that are efficient, effective, transparent and accountable, and we must urge the central Government to delegate broad local powers to those bodies.

That is all that the Libyan people need from the Security Council and their friends at this critical juncture. All other difficulties can be readily overcome, because there are no divisions or differences among the masses of the Libyan people. They remain as united today as they were during the 17 February revolution. However, the grave division and ideological polarization at the top of the hierarchical authority, the lack of respect for the role of democracy and the rule of law, the lack of experience and expertise in running the State, and the absence of controls over the media paint a portrait of Libya as a divided country governed by tribes with different and diverging interests. That is a false portrayal that does not reflect the reality. It gives the wrong impression to those who follow the situation in Libya, and that impression has been entrenched because of the absence of leadership capable of gaining widespread respect by rejecting biases in favour of particular parties, the appropriate use of political discourse, and transparency substantiated by facts and figures.

Libyan army officers and soldiers, who number more than 50,000, have not been receiving their salaries. However, they are eager to reorganize themselves to protect the gains of the 17 February revolution and to achieve peace and security throughout Libya, despite the attempts of some politicians and leaders of armed groups to demonize all officers and personnel of the Libyan army with the sole aim of preventing them from returning to their work, and to ensure that the State has no central armed power that can stop the Government from being blackmailed and forced to squander public funds in the form of remunerations for the armed

groups, the value of which exceeds what is spent on the army and the police combined. Those who wish to support Libya today should help it rebuild its army and arm it as soon as possible. Those who wish to support Libya must help it to re-establish the police presence in its population centres. Those who wish to help Libya should prevent any attempt to undermine the democratic transition and take punitive measures against anyone who would seek to obstruct that process.

The President (*spoke in Russian*): There are no more names inscribed on the list of speakers. I now invite Council members to formal consultations to continue our discussion on the subject.

The meeting rose at 10.50 a.m.